

LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
Board of Trustees



Special Meeting

Monday, August 26, 2024 5:30 PM

Meetings of the Board are held at 104 Swisher Rd., Lake Dallas, TX 75065

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

Agenda

1. **Call to Order, Roll Call, and Establishment of Quorum**
2. **Moment of Silence and Pledges of Allegiance**
3. **Introductions**
4. **Executive Session**

The open session of the meeting will adjourn. The Board of Trustees will reconvene in executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code). The Board of Trustees will reconvene in open session to take any final action, decision, or vote on a matter deliberated in executive session.

- A. Private consultation with the Board's attorney (TGC 551.071)
- B. Pursuant to Section 551.074, Texas Government Code, deliberations concerning term contract teacher Brian Miller's abandonment of employment contract
- C. Discussing or deliberating purchase, exchange, lease or value of real property (TGC 551.072)
- D. Discussing or deliberating negotiated contract for prospective gift or donation to the school district (TGC 551.073)
- E. Discussing or deliberating appointment, employment, evaluation, reassignments, duties, discipline, or dismissal of a public officer (TGC 551.074)
- F. Discussing or deliberating the deployment, or specific occasions for implementation of security personnel or devices; or a security audit (TGC 551.076)

- G. Discussing Security Matters regarding Emergency Operations Plans, Safety, and Security Audits (TEC 37.109)
- H. Discussing or deliberating discipline of a public school child or employee complaint against another employee (TGC 551.082)
- I. Discussing or deliberating a public school child which reveals personally identifiable information (TGC 551.0821)
- J. Investigation; exclusion of witness from a hearing during examination of another witness (TGC 551.084)
- K. Discussing economic development negotiations or offer of financial or other incentive to business prospects (TGC 551.086)

5. **Public Comment**

At special Board meetings, public comment shall be limited to items on the agenda posted with notice of the meeting. Individuals who wish to participate during the public comment portion of the meeting shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item or topic on which they wish to address the Board. An individual's comments to the Board shall not exceed three minutes per meeting.

6. **Public Hearing**

- 6.A. ***Student Success:*** Accelerated Instruction
- 6.B. ***Efficient Operations:*** 2024-2025 School Year Budget

7. **INFORMATION ITEMS**

- 7.A. ***Parent & Family/Community Support:*** SHAC Annual Report
- 7.B. ***Student Success:*** AI Committee

8. **CONSENT AGENDA ITEMS**

- 8.A. **Consideration/Approval of the Minutes of the August 12, 2024, Regular Meeting**

- 8.B. **Consideration/Approval of Budget Amendment #6**

9. **ACTION ITEMS**

- 9.A. ***Efficient Operations:*** Consideration/Approval of the Lake Dallas ISD Police Department Policy & Procedure Manual.
- 9.B. ***Efficient Operations:*** Consideration/Approval to Delete Policy CKEC(Local) and Adopt CKE(Local)-D1SRO, DH(Local), and DEC(Local)
- 9.C. ***Efficient Operations:*** Consideration/Approval of the 2024-2025 General Fund, Food Service Fund, Debt Service Fund and Compensatory Education budgets.
- 9.D. ***Efficient Operations:*** Consideration/Approval of all matters incident and related to providing for the redemption of certain outstanding obligations of the district, including the adoption of an order pertaining thereto.
- 9.E. ***Efficient Operation:*** Consideration/Approval of an ordinance setting a tax rate for maintenance and operations and debt services for the 2024-2025 school year.
- 9.F. ***Efficient Operations:*** Consideration and possible action regarding approval of a finding in accordance with Texas Education Code Section 21.210(c)(2) and 19 Texas Administrative Code 249.14(j), that good cause did not exist for Brian

Miller, term contract teacher, to abandon his employment contract, position and attempt to resign from Lake Dallas ISD.

- 9.G. ***Efficient Operations:*** Consideration and possible action regarding notification to the State Board for Educator Certification of term contract teacher Brian Miller concerning abandonment of his employment contract and seeking sanctions for abandonment of his position.

10. **Executive Session (if needed)**

The open session of the meeting will adjourn. The Board of Trustees will reconvene in executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code). The Board of Trustees will reconvene in open session to take any final action, decision, or vote on a matter deliberated in executive session.

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11. **Adjournment**

Lake Dallas ISD

Accelerated Learning Program Evaluation

Public Hearing

August 26, 2024

Overview of Accelerated Learning

The State of Texas requires each district to provide accelerated instruction to a student enrolled in the district who has taken an end-of-course assessment instrument according to TEC 39.023(c) and has not performed satisfactorily on the assessment instrument or who is at risk of dropping out of school. In addition, school districts are required to annually evaluate the effectiveness of accelerated instruction programs and hold a public hearing (TEC 29.081). Lake Dallas ISD collected data regarding student performance, services, and funding sources to analyze the effectiveness of the accelerated program at all campuses in the following areas:

1. Performance on state assessments comparing students at risk of dropping out of school and all other district students; and
2. Rates of high school completion between students at risk of dropping out of school and all other district students.

This evaluation establishes a baseline for continuous improvement to guide district and campus leaders, teachers and staff members in:

- Developing academic goals and objectives;
- Determining the effectiveness of specific programs;
- Reviewing policy and practice of instructional programs; and
- Determining specific educational interventions that will lead to student achievement.

Performance of Students At Risk Compared to Not At Risk Students**STAAR 3rd -8th Grade**

Grade	Reading/ ELAR At Risk	Reading/ ELAR Not At Risk	Math At Risk	Math Not At Risk	Science At-Risk	Science Not At Risk	Social Studies At-Risk	Social Studies Not At Risk
3	2023: 59% 2024: 59%	2023: 82% 2024: 93%	2023: 52% 2024: 57%	2023: 81% 2024: 93%				
4	2023: 60% 2024: 60%	2023: 89% 2024: 95%	2023: 37% 2024: 31%	2023: 81% 2024: 82%				
5	2023: 70% 2024: 58%	2023: 93% 2024: 92%	2023: 63% 2024: 50%	2023: 88% 2024: 93%	2023: 44% 2024: 33%	2023: 81% 2024: 73%		
6	2023: 53% 2024: 57%	2023: 91% 2024: 92%	2023: 64% 2024: 59%	2023: 95% 2024: 94%				
7	2023: 55% 2024: 53%	2023: 92% 2024: 94%	2023: 39% 2024: 38%	2023: 81% 2024: 80%				
8	2023: 67% 2024: 62%	2023: 98% 2024: 93%	2023: 46% 2024: 56%	2023: 87% 2024: 82%	2023: 54% 2024: 53%	2023: 93% 2024: 91%	2023: 38% 2024: 32%	2023: 86% 2024: 74%

STAAR End Of Course Assessments (EOCs)

English I At Risk	English I Not At Risk	English II At Risk	English II Not at Risk	Algebra I At Risk	Algebra I Not at Risk
2023: 72% 2024: 57%	2023: 96% 2024: 91%	2023: 72% 2024: 67%	2023: 98% 2024: 97%	2023: 63% 2024: 65%	2023: 91% 2024: 93%

Biology At Risk	Biology Not At Risk	U.S. History At Risk	U.S. History Not At Risk
2023: 90% 2024: 84%	2023: 99% 2024: 99%	2023: 97% 2024: 94%	2023: 100% 2024: 99%

Rates of High School Completion for “At-Risk” Compared to Not At-Risk Students
Class of 2022 Reported in 2023 and Class of 2023 Reported in 2024

Number of Enrolled Seniors:	2023: 303 2024: 308
Graduation Percentage Rate	2023: 99.3 2024: 99.7
Percent of At-Risk Students Graduated:	2023: 100% (95 of 95 Students) 2024: 100% (97 of 97 Students)
Percent of Non-At-Risk Students Graduated:	2023: 99% (207 of 208 Students) 2024: 99% (210 of 211 Students)

FTE’s Paid by State Compensatory Education Funding

Professional Positions	Corinth Elementary	Lake Dallas Elementary	Shady Shores Elementary	Lake Dallas Middle School	Lake Dallas High School
Teacher ESL Specialist RTI Specialist Literacy Specialist Dyslexia Communities in Schools	2023: 2.5 2024: 2.5	2023: 2.5 2024: 3	2023: 2.5 2024: 2.5	2023: 2 2024: 2	2023: 3 2024: 3

Public Hearing Accelerated Instruction

Presenter: Kelly O'Sullivan
Event: LDISD Board of Trustees Meeting
Date: August 26, 2024



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Accelerated Instruction

Each district shall provide accelerated instruction to a student enrolled in the district who has taken an end-of-course assessment instrument(STAAR) administered under TEC 39.023(c) and has not performed satisfactorily on the assessment instrument or who is at risk of dropping out of school. TEC 29.081



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At Risk Student Criteria

As defined by TEC 29.081

1. PreK-3rd – Has not performed satisfactorily on a readiness assessment
2. 7th-12th - Earned less than a 70 in two or more core classes/semester
3. Has not advanced to the next grade level for one or more years
4. Has not performed satisfactorily on a state assessment for two years
5. Pregnant or a parent
6. Placed in the District Alternative Education Program during the current or previous school year for certain conduct per TEC 37.006
7. Expelled during the current or previous school year
8. Currently on probation or parole
9. Prior dropout history
10. Limited English proficiency
11. In the care of the Department of Protective and Regulatory Services
12. Homeless
13. Resided in a residential placement facility during the current or previous school year.



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Performance of Students At-Risk Compared to Not At-Risk Students 2023-2024

Grade 3						
	Math			Reading/ELA		
	2023	2024	% Diff	2023	2024	% Diff
At-Risk	52.2%	56.6%	4.4%	58.8%	58.5%	-0.3%
Not At-Risk	80.5%	93.4%	12.9%	81.9%	93.4%	11.5%



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Performance of Students At-Risk Compared to Not At Risk Students 2023-2024

Grade 6						
	Math			Reading/ELA		
	2023	2024	% Diff	2022	2023	% Diff
At-Risk	64.4%	58.9%	-5.5%	52.9%	56.9%	4%
Not At-Risk	95.2%	93.6%	-1.6%	92.4%	91%	-1.4%



Performance of Students At-Risk Compared to Not At Risk Students 2023-2024

STAAR End of Course (EOC)

	Algebra I			English I		
	2023	2024	% Diff	2023	2024	% Diff
At-Risk	63.4%	65.4%	2%	63.4%	55.4%	-8%
Not At-Risk	89.8%	92.5%	2.7%	96%	92.6%	-3.4%



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Accelerated Instruction in Lake Dallas ISD

Elementary

- Falcon Time - 30 minutes daily
- Summer School

Middle School

- Falcon Time - 25 minutes daily
- Tutorials
- Reading and Math Small Groups
- Summer School

High School

- Tutorials
- End of Course Classes
- Summer School



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Graduation Rates

At-Risk Students Compared to Not At-Risk Students

At-Risk Students

2024: 100%



Non-At-Risk Students

2024: 99%



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Any Questions?



2024-2025 School Year Budget Public Hearing

Presenter: Wes Eversole, Deputy Superintendent
Event: LDISD Board of Trustees Meeting
Date: August 26, 2024



LAKE DALLAS



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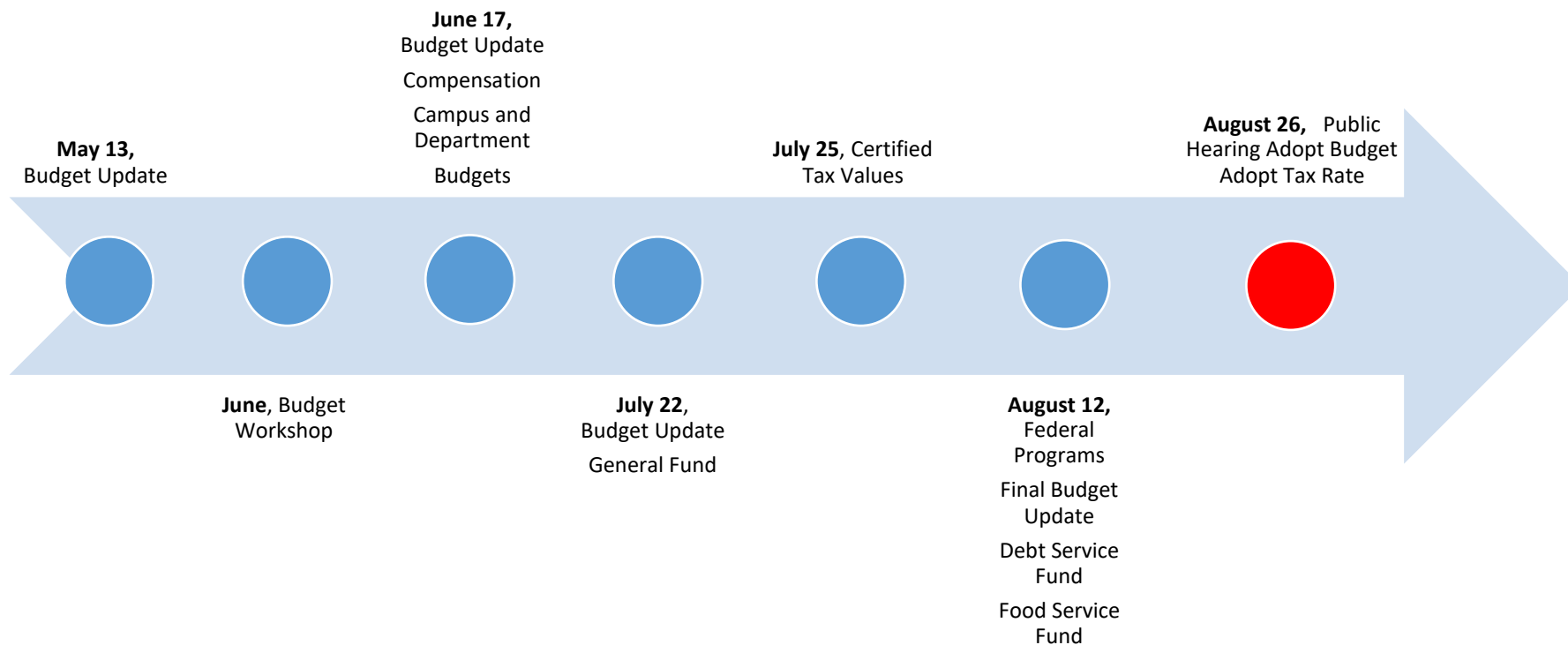
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Budget Calendar



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Texas School Finance Key Points

Revenue per student is determined by state funding formulas

- Basic allotment:
 - \$6,160 per student
 - Level has not changed since 2019
- Key Budget Factors
 - Enrollment and Attendance
 - Student Needs
 - Property Values - Property Value Growth no longer impacts General Fund Revenue
- TEA calculates the state maximum compressed tax rate (MCR)
- Higher property values do not mean more overall General Fund revenue



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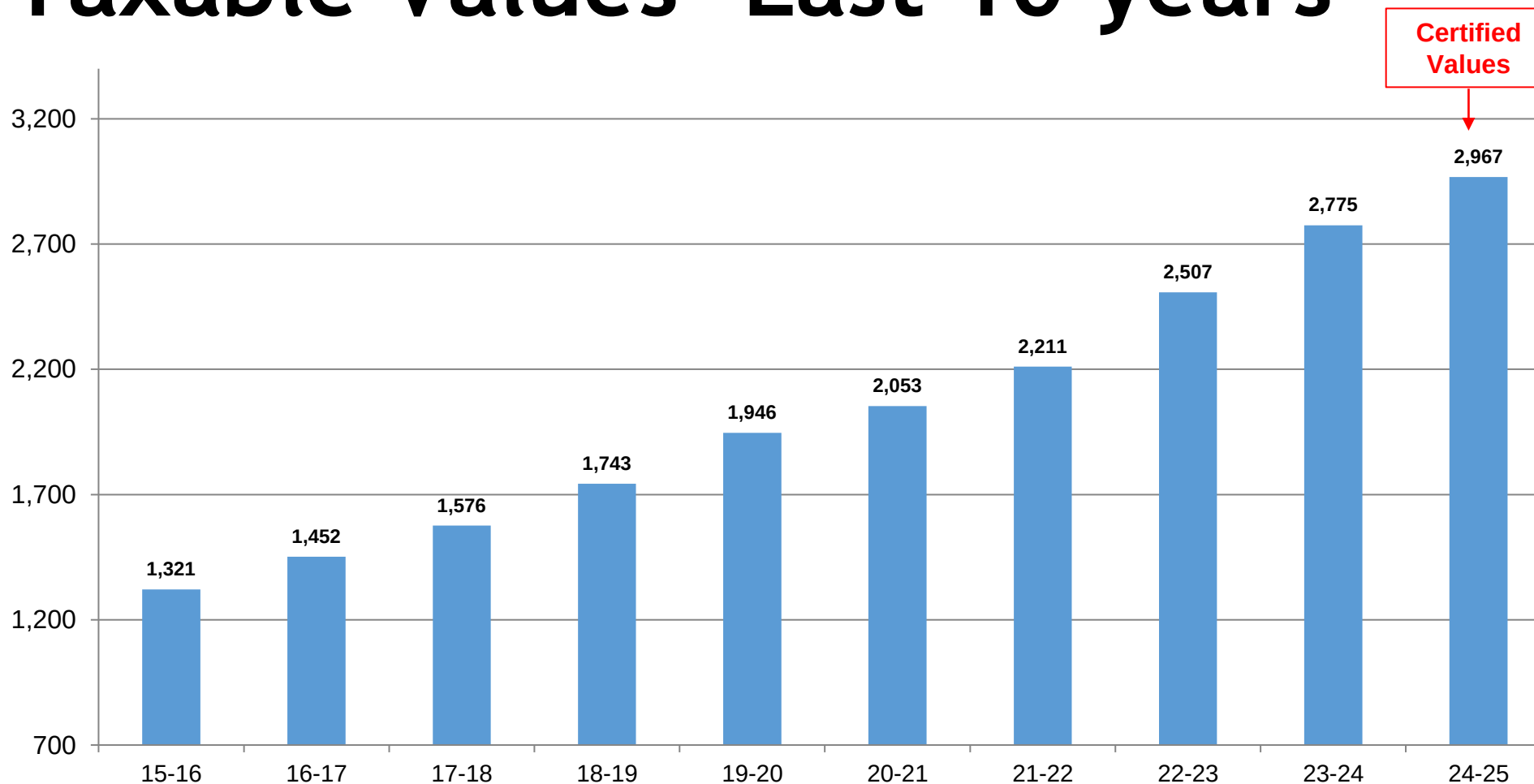
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Taxable Values -Last 10 years



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General Fund Revenue

Local Revenue

- Property Taxes
- Interest Revenue
- Athletic Revenue

State Revenue

- Available School Fund
- Foundation
- TRS on Behalf

Federal Revenue

- SHARS
- Federal Impact Aid
- Indirect Costs

	Adopted 2023-24 Budget	Proposed 2024-25 Budget	Increase (Decrease)	% Increase (Decrease)
Local	\$24,312,747	\$24,417,600	\$104,853	0.4%
State	16,149,965	16,907,246	757,281	4.7%
Federal	<u>974,318</u>	<u>641,018</u>	<u>(333,300)</u>	-34.2%
Total	\$41,437,030	\$41,965,865	\$528,834	1.3%



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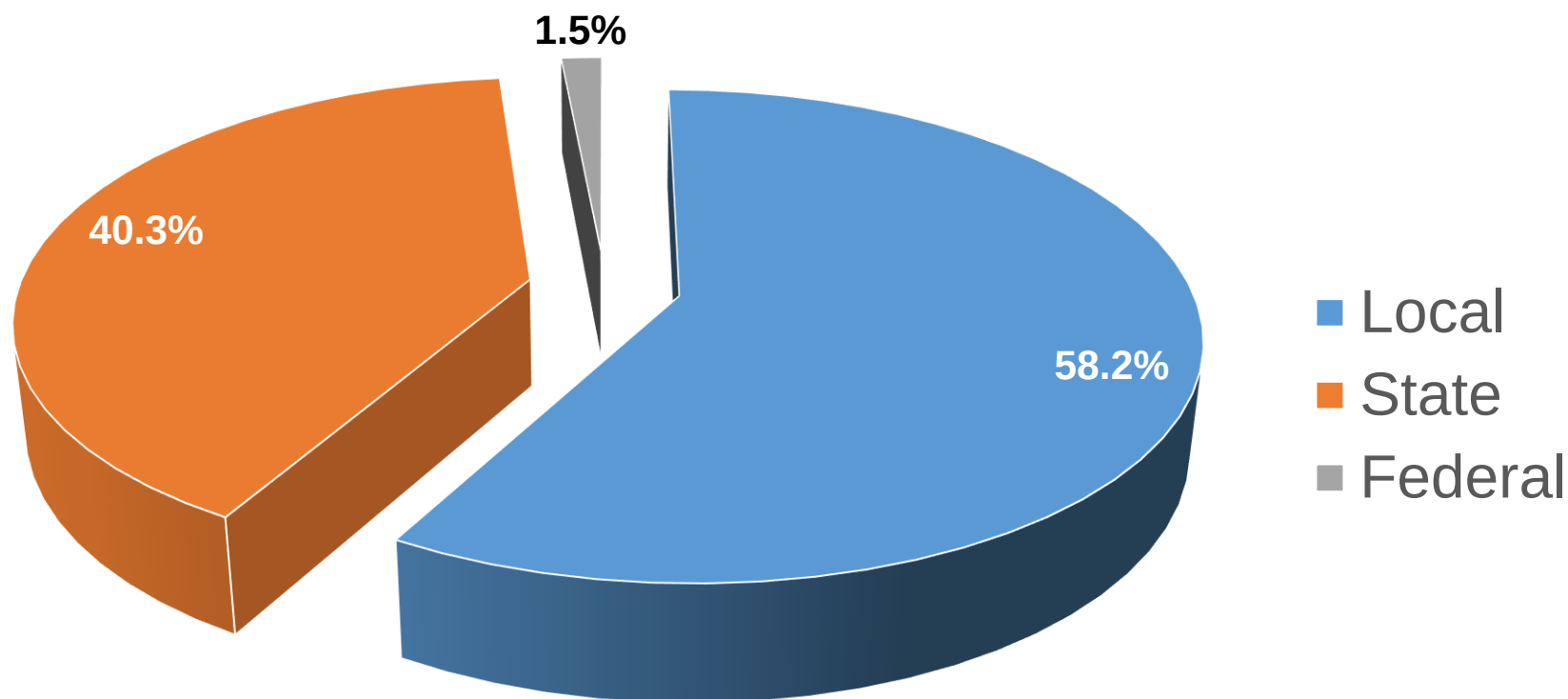
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GENERAL FUND REVENUES



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GENERAL FUND EXPENDITURES

Department	2023-24	2024-25	Increase (Decrease)	% Increase (Decrease)
Instruction (Library, Curriculum & Staff Development)	25,177,305	24,678,851	(498,454)	-1.98%
Instructional Support (Instructional, Campus Leadership, Co-Curricular, Counseling, Health Services, Curriculum Support)	6,192,213	5,830,867	(361,346)	-5.84%
General Administration (Insurance, HR, Business Operations, Central Admin, Tax Collections and Appraisals)	1,798,315	2,101,538	303,223	16.86%
District Operations (Transportation, Facilities, Utilities, Technology, Security, Insurance)	<u>8,480,551</u>	<u>9,712,049</u>	1,231,498	14.52%
Total	41,648,384	42,323,305	674,921	1.62%



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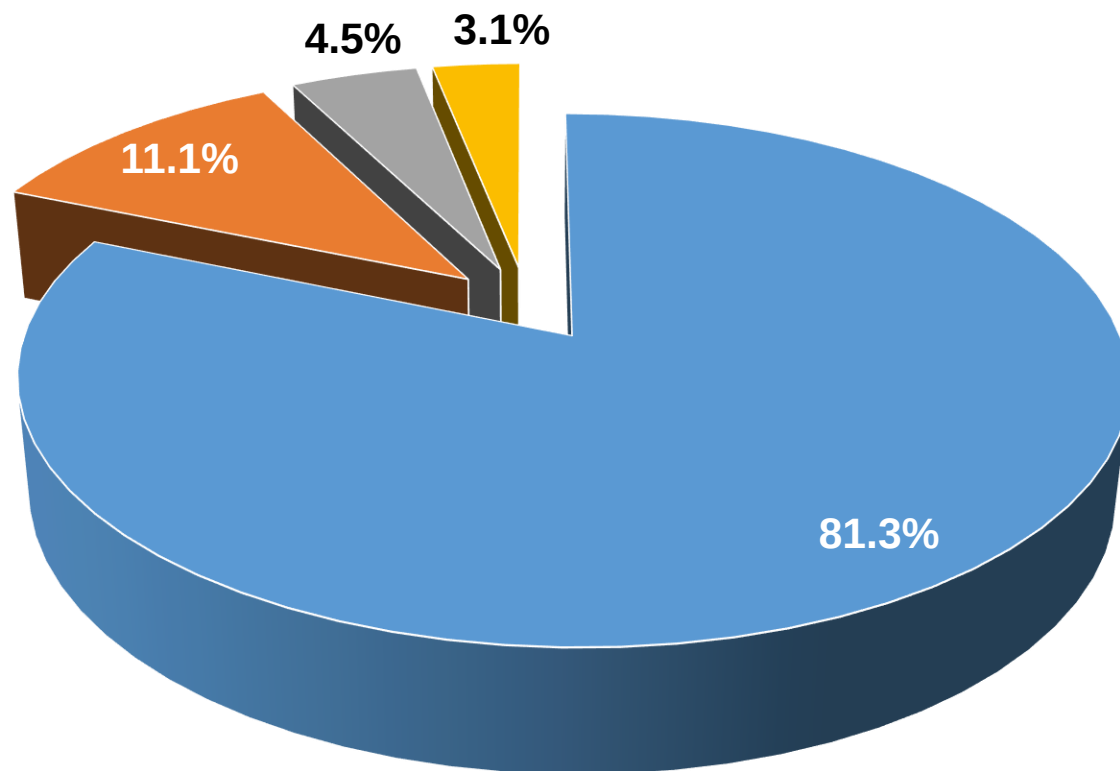
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GENERAL FUND EXPENDITURES



- Payroll
- Contr. Services
- Supplies
- Other



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General Fund Budget

	Adopted 2023-24 Budget	Proposed 2024-25 Budget	Increase (Decrease)	% Increase (Decrease)
Revenue	41,437,030	41,965,865	\$528,835	1.3%
Expenditure	<u>41,648,384</u>	<u>42,323,305</u>	\$674,921	1.8%
Increase (Decrease)	(211,354)	(\$357,440)		



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Child Nutrition Budget

	Adopted 2023-24 Budget	Proposed 2024-25 Budget	Increase (Decrease)	% Increase (Decrease)
Revenue	\$2,018,490	\$2,467,641	\$449,151	22.3%
Expenditure	<u>2,013,158</u>	<u>\$2,947,833</u>	\$934,675	46.4%
Increase (Decrease)	\$5,332	(\$480,192)		



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Debt Service Budget

- Increased property values provide additional opportunities to retire debt
 - Increase LDISD Debt Capacity
 - Decreases Taxpayer Interest Burden
- Since 2012, deployed debt management practices such as pre-payment or refinancing debt, realizing \$30 million in interest and principle savings
- Maintaining Current Tax Rate - \$.50 for FY 2025
- Prepayment of Debt - \$5,085,000
- Resulting in future interest cost savings of \$1,009,351



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Debt Service Budget

	Adopted 2023-24 Budget	Proposed 2024-25 Budget	Increase (Decrease)	% Increase (Decrease)
Revenue	\$16,192,301	\$17,713,412	\$1,521,111	9.39%
Expenditure	<u>16,193,438</u>	<u>\$17,711,443</u>	1,518,005	9.37%
Increase (Decrease)	\$(1,137)	\$1,969		



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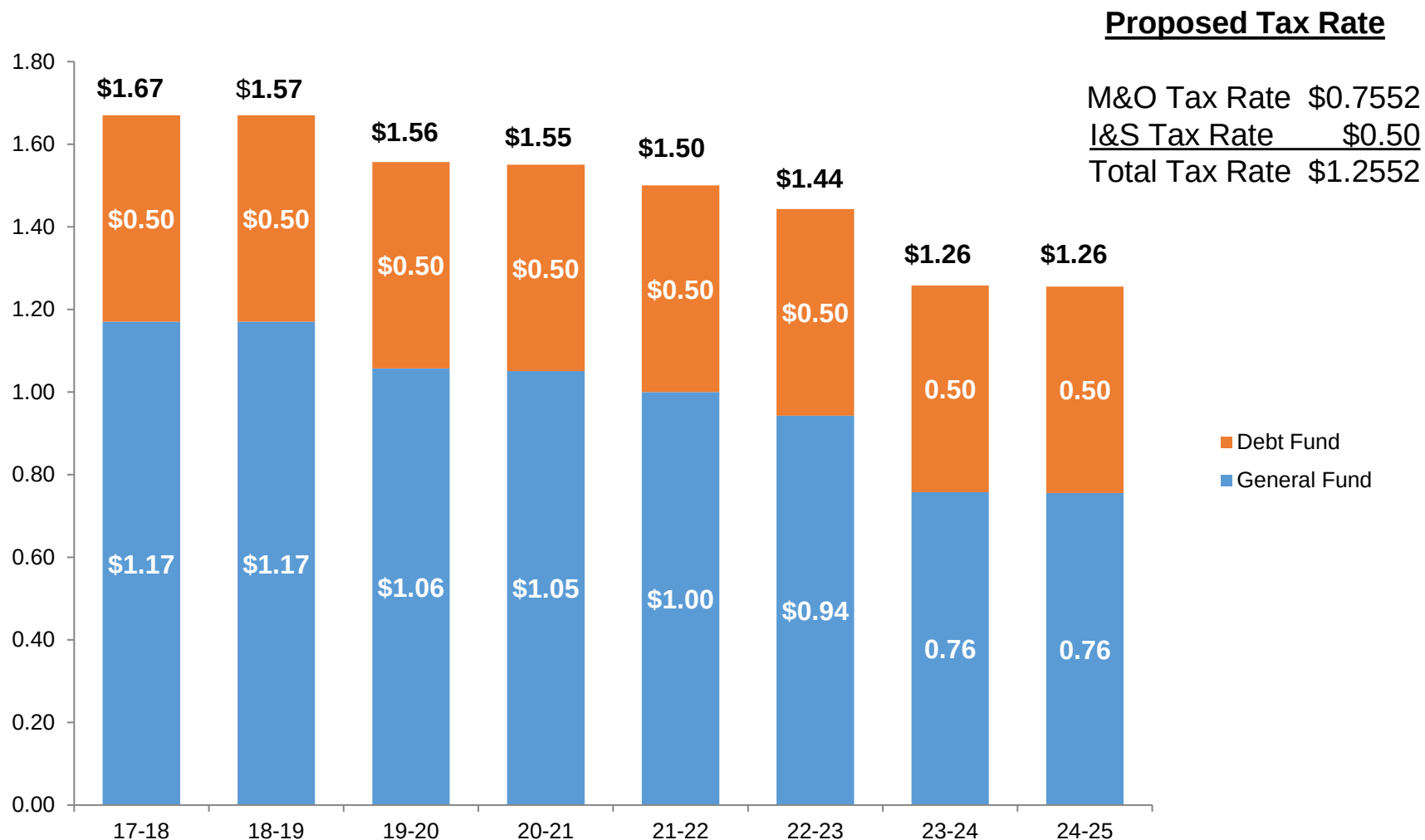
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Tax Rate



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Compensatory Education budget

Function	2024-25 Budget
Instruction	984,043
Curriculum and Staff Development	392,837
Instructional Leadership	60,034
School Leadership	<u>15,923</u>
Total	\$1,452,837



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PUBLIC BUDGET AND TAX RATE NOTICE

- A notice of the Budget and Proposed Tax Rate Meeting must be published in a daily, weekly, or biweekly newspaper.
- The notice must be published no earlier than the 30th day or later than the 10th day before the hearing date.
- Public Meeting - August 26, 2024
- Proposed Total Tax Rate

General Fund Tax Rate	\$.7552
Debt Service Tax Rate:	\$.5000
Total Proposed Tax Rate	\$ 1.2552

The proposed tax rate represents a \$0.0023 decrease from the previous year.

**NOTICE OF PUBLIC MEETING TO DISCUSS
BUDGET AND PROPOSED TAX RATE**

The LAKE DALLAS INDEPENDENT SCHOOL DISTRICT will hold a public meeting at 5:30PM, August 26, 2024 in Central Services Building, 104 Swisher Rd Lake Dallas, TX 75045. The purpose of this meeting is to discuss the school district's budget that will determine the tax rate that will be adopted. Public participation in the discussion is invited.

The tax rate that is ultimately adopted at this meeting or at a separate meeting on a later date may not exceed the proposed rate shown below unless the district publishes a revised notice containing the same information and comparisons set out below and holds another public meeting to discuss the revised notice.

Maintenance Tax	\$1,000,000 \$100 (proposed rate to pay bonded indebtedness)
School Debt Service Tax	\$5,000,000 \$100 (proposed rate to pay bonded indebtedness)
Approved by Local Voters	

Comparison of Proposed Budget with Last Year's Budget

The applicable percentage increase or decrease (or difference) in the amount budgeted in the preceding fiscal year and the amount budgeted for the fiscal year that begins during the current tax year is indicated for each of the following expenditure categories.

Maintenance and operations	-1.08 % decrease
Debt Service	11.71 % increase
Total expenditures	1.70 % increase

**Total Appraised Value and Total Taxable Value
(as calculated under Section 26.04, Tax Code)**

	Proposed Tax Year	Current Tax Year
Total appraised value* of all property	\$2,628,964,116	\$2,623,038,095
Total appraised value** of new property**	\$71,103,676	\$84,329,362
Total taxable value*** of all property	\$2,382,363,489	\$2,314,647,720
Total taxable value*** of new property**	\$71,887,382	\$70,928,085

*Appraised value is the amount shown on the appraisal roll and defined by Section 1.04(9), Tax Code.
 **"New property" is defined by Section 26.03(2), Tax Code.
 ***"Taxable value" is defined by Section 1.04(10), Tax Code.

Bonded Indebtedness

Total amount of outstanding and unpaid bonded indebtedness* \$14,631,300

*Outstanding principal

Comparison of Proposed Rates with Last Year's Rates

	Maintenance & Operations	Interest & Sinking Fund**	Total	Local Revenue Per Student	State Revenue Per Student
Last Year's Rate	\$1.00000	\$0.50000*	\$1.50000	\$9,071	\$14,412
Rate to Maintain Same Level of Maintenance & Operations Revenue & Pay Debt Service	\$1.05750	\$0.36250*	\$1.42000	\$8,540	\$13,396
Proposed Rate	\$1.00000	\$0.50000*	\$1.50000	\$9,071	\$14,412

*The Interest & Sinking Fund tax revenue is used to pay for bonded indebtedness on construction, equipment, or both.
 The bonds, and the tax rate necessary to pay those bonds, were approved by the voters of this district.

Comparison of Proposed Levy with Last Year's Levy on Average Residence

	Last Year	This Year
Average Market Value of Residents	\$242,438	\$261,135
Average Taxable Value of Residents	\$242,438	\$261,135
Last Year's Rate Versus Proposed Rate per \$100 Value	\$1.50000	\$1.50000



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Any Questions?





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LAKE DALLAS

Independent School District



**LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
COMBINED BUDGET SUMMARY
2024-25 School Year**

Revenue Sources	<u>General Fund</u>	<u>Food Service</u>	<u>Debt Service</u>	<u>Memorandum Total</u>
Local and Intermediate Revenues	\$24,417,600	\$610,067	\$16,040,494	\$41,068,161
State Program Revenues	16,907,246	43,128	1,672,918	18,623,292
Federal Program Revenues	641,018	1,814,446	-	2,455,464
Total Budgeted Revenue Sources	41,965,865	2,467,641	17,713,412	\$62,146,918
Total Expenditures				
Instruction	23,426,370	-	-	23,426,370
Instruction Resources & Media Services	464,550	-	-	464,550
Curriculum/Instructional Staff Dvlpmnt.	781,431	-	-	781,431
Instructional Leadership	677,367	-	-	677,367
School Leadership	2,269,025	-	-	2,269,025
Guidance and Counseling Services	1,344,332	-	-	1,344,332
Social Work Services	-	-	-	-
Health Services	366,863	-	-	366,863
Student Transportation	1,714,191	-	-	1,714,191
Food Services	-	2,947,833	-	2,947,833
Co-Curricular Extracurricular Activities	1,173,280	-	-	1,173,280
General Administration	1,781,338	-	-	1,781,338
Plant Maintenance & Operations	5,737,573	-	-	5,737,573
Security & Monitoring Services	977,325	-	-	977,325
Data Processing Services	1,268,960	-	-	1,268,960
Debt Services	-	-	17,711,443	17,711,443
Facilities Acquisition and Construction	14,000	-	-	14,000
Payments to Fiscal Agents	6,500	-	-	6,500
Other Intergovernmental Charges	320,200	-	-	320,200
Total Appropriated Expenditures	\$42,323,305	\$2,947,833	\$17,711,443	\$62,982,581
Budgeted Increase (Decrease)	(\$357,440)	(\$480,192)	\$1,969	(\$835,663)

**LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
GENERAL FUND
2024-25 School Year**

Revenue Sources	2023-24 Budget	2024-25 Budget	Increase/ Decrease	% Change
Local and Intermediate Revenues	\$24,312,747	\$24,417,600	\$104,853	0.43%
State Program Revenues	16,149,965	16,907,246	757,281	4.69%
Federal Program Revenues	974,318	641,018	(333,300)	-34.21%
Total Budgeted Revenue Sources	41,437,030	41,965,865	528,834	1.28%
Total Expenditures				
Instruction	23,661,150	23,426,370	(234,780)	-0.99%
Instruction Resources & Media Services	635,360	464,550	(170,810)	-26.88%
Curriculum/Instructional Staff Dvlpmnt.	872,295	781,431	(90,864)	-10.42%
Instructional Leadership	873,189	677,367	(195,822)	-22.43%
School Leadership	2,232,169	2,269,025	36,856	1.65%
Guidance and Counseling Services	1,475,868	1,344,332	(131,536)	-8.91%
Social Work Services	13,990	-	(13,990)	-100.00%
Health Services	364,647	366,863	2,216	0.61%
Student Transportation	1,613,502	1,714,191	100,689	6.24%
Co-Curricular Extracurricular Activities	1,232,350	1,173,280	(59,070)	-4.79%
General Administration	1,535,500	1,781,338	245,838	16.01%
Plant Maintenance & Operations	5,011,404	5,737,573	726,169	14.49%
Security & Monitoring Services	600,136	977,325	377,189	62.85%
Technology Services	1,241,509	1,268,960	27,451	2.21%
Facilities Acquisition and Construction	14,000	14,000	-	0.00%
Payments to Fiscal Agents	8,500	6,500	(2,000)	-23.53%
Other Intergovernmental Charges	262,815	320,200	57,385	21.83%
Total Appropriated Expenditures	\$41,648,384	\$42,323,305	\$674,921	1.62%
Budgeted Increase (Decrease)	(\$211,354)	(\$357,440)		

**LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
CHILD NUTRITION
2024-25 School Year**

Revenue Sources	2023-24 Budget	2024-25 Budget	Increase/ Decrease	% Change
Local and Intermediate Revenues	\$724,247	\$610,067	(\$114,180)	-15.77%
State Program Revenues	36,000	43,128	\$7,128	19.80%
Federal Program Revenues	1,258,243	1,814,446	\$556,203	44.20%
Total Budgeted Revenue Sources	2,018,490	2,467,641	449,151	22.25%
Total Expenditures				
Payroll	930,523	953,006	22,483	2.42%
Professional and Contracted Services	41,000	29,000	(12,000)	-29.27%
Supplies and Materials	997,135	1,529,196	532,061	53.36%
Other Operating Expenditures	4,500	4,324	(176)	-3.91%
Capital Outlay	40,000	432,307	392,307	980.77%
Total Appropriated Expenditures	\$2,013,158	\$2,947,833	934,675	46.43%
Budgeted Increase (Decrease)	\$5,332	(\$480,192)		

**LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
DEBT SERVICE
2024-25 School Year**

	2023-24	2024-25	Increase/ Decrease	% Change
Revenue Sources	<u>Budget</u>	<u>Budget</u>		
Local Sources	15,900,712	16,040,494	\$139,782	0.88%
State Sources	291,589	1,672,918	1,381,329	473.72%
Total Budgeted Revenue Sources	<u>16,192,301</u>	<u>17,713,412</u>	<u>1,521,111</u>	<u>9.39%</u>
 Expenditures				
Debt Service	16,193,438	17,711,443	1,518,005	9.37%
Total Appropriated Expenditures and Other	<u>\$16,193,438</u>	<u>\$17,711,443</u>	<u>\$1,518,005</u>	<u>9.37%</u>
 Budgeted Increase (Decrease)	 (\$1,137)	 \$1,969		

SHAC Annual Report

Presenter: John Modica
Event: Regular Board Meeting
Date: August 26th, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



Background and Purpose

- The board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction.
- The SHAC's duties include recommending:
 - The number of hours of instruction for Health education Kindergarten through 8th grade
 - Policies and procedures for Health education, physical education, nutrition services, and school health services
 - Appropriate grade levels and methods for human sexuality instruction
 - Appropriate grade levels and methods for instruction on child abuse, family violence, dating violence, and sex trafficking
 - Strategies to increase parental awareness of the above mentioned items



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



SHAC Membership

- The board shall appoint at least five members to the SHAC. One of those members shall serve as chair or co-chair of the SHAC. A majority of members must be parents of students enrolled in the district and who are not employed by the district.
- Currently Membership
 - 12 Parents
 - 5 District Staff Members
 - Both the Chair and Co-Chair are Board Appointed



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



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EFFICIENT OPERATIONS



SHAC Meetings Dates from 23-24

- October 3rd, 2023
- December 12th, 2023
- April 23rd, 2024
- August 6th, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



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EFFICIENT OPERATIONS



Summary of Events

- Approved the renewal of the partnership between LDISD and North Texas Child Advocacy Center (NTCAC)
- Approved to continue utilizing Proctor and Gamble's "Always Changing Puberty Education" as part of the human sexuality instruction for 5th grade students
- Approved the implementation of Narcan, opioid antagonists, to be on every instructional campus including DAEP
- Approved a partnership between LDISD and the Boys and Girls Club of Greater Tarrant County (BGCGTC)



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



Any Questions?



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



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EFFICIENT OPERATIONS





STUDENT SUCCESS



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COMMUNITY SUPPORT



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EFFICIENT OPERATIONS

LAKE DALLAS

Independent School District



**LAKE DALLAS ISD
SCHOOL HEALTH ADVISORY COUNCIL (SHAC)
ANNUAL PROGRESS REPORT TO THE BOARD OF TRUSTEES**



TABLE OF CONTENTS

A. Background and Purpose

B. SHAC Membership

C. SHAC Meeting Dates

D. New Programs and Recommendations

E. Conclusion

BACKGROUND AND PURPOSE

The board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. Education Code 28.004(a). The SHAC shall meet at least four times each year. Prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting, as well as make an audio or video recording of the meeting. All required notices and meeting information is posted on a [dedicated page](#) on the District website.

The SHAC's duties include recommending:

- The number of hours of instruction to be provided in:
 - Health education in kindergarten through grade 8; and
 - If the district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12.
- Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;
 - Physical education and physical activity;
 - Nutrition services;
 - Parental involvement;
 - Instruction on substance abuse prevention;
 - School health services, including mental health services;
 - A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - A safe and healthy school environment; and
 - School employee wellness;
- Appropriate grade levels and methods of instruction for human sexuality instruction;
- Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - School health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;
 - A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - A safe and healthy school environment; and
 - School employee wellness;

- If feasible, joint use agreements or strategies for collaboration between the district and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the district and community organization;
- Strategies to increase parental awareness regarding:
 - Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.
- Appropriate grade levels and curriculum for instruction regarding the dangers of opioids, including instruction on:
 - Opioid addiction and abuse, including addiction to and abuse of synthetic opioids such as fentanyl; and
 - Methods for administering an opioid antagonist; and
- Appropriate grade levels and curriculum for instruction regarding child abuse, family violence, dating violence, and sex trafficking, including likely warning signs that a child may be at risk for sex trafficking, provided that the local SHAC's recommendations under this provision do not conflict with the essential knowledge and skills developed by the SBOE.

SHAC MEMBERSHIP

The board shall appoint at least five members to the SHAC. A majority of members must be persons who are parents of students enrolled in the district and who are not employed by the district. One of those members shall serve as chair or co-chair of the SHAC.

LDISD SHAC Current Membership

Veronica Bondurant	Parent
Jennifer Christy	Parent
Andrew Clemens	Parent (Board Appointed) (Co-Chair)
John Fabro	Teacher
Meredith Henson	Parent
Erica Kelm	School Counselor
Courtney Martin	Community Resource (Board Appointed)
Alicia McKinley	Parent
Josh Medlin	Parent
Marissa Parker	Teacher
Corey Ray	Director of Child Nutrition
Craig Rector	Parent (Board Appointed) (Chair)

Andie Renville	Parent
Kassandra Reynolds	Parent
Julie Smith	Parent (Board Appointed)
Marcie Townsen	Parent
Lisa Walraven, RN	Nurse (Board Appointed)
Angie Wren	Parent

SHAC MEETING DATES

October 3rd, 2023

December 12th, 2023

April 23rd, 2024

August 6th, 2024

NEW PROGRAMS AND RECOMMENDATIONS

- During the October meeting, the SHAC committee approved the renewal of the partnership between LDISD and North Texas Child Advocacy Center (NTCAC). NTCAC provides opt in educational programs for LDISD students consisting of instruction related to the prevention of child abuse, family violence, dating violence, human sexuality, and sex trafficking.
- Another motion at the October meeting was for the elementary campuses to continue to utilize Proctor & Gamble's "Always Changing Puberty Education Program." This an opt in program for students where the boys and girls are taught separately and given the opportunity to write down specific questions to ask the staff member monitoring the program
- Over the course of 3 meetings the SHAC committee discussed Senate Bill 629 and the implementation of opioid antagonists on campuses. The decision was made to have narcan at all 5 campuses and the DAEP campus. The SHAC also motioned for narcan to be at these locations on each campus
 - Nurse's office
 - Principal's office
 - Assistant Principal's office
 - Athletic Trainer's office and mobile unit
 - Every AED box
- During the August meeting, the SHAC council selected a Chair and Co-Chair for the 24-25 a school year. Chair - Craig Rector, Parent and Co-Chair - Andrew Clemens, Parent. The council also approved a partnership between LDISD and

the Boys and Girls Club of Greater Tarrant County (BGCCTC). The BGCCTC has the potential to provide student programs for our LDISD students designed for youth showing early warning signs of substance use, such as experimenting and/or exhibiting other problem behaviors. The programs are designed to be run with small groups or in the classroom setting and are based on the needs of the campus and how they can best implement the programs.

CONCLUSION

Since the establishment of the SHAC from [Section 28.004](#), LDISD SHACs' responsibilities and their importance in making a positive impact on student health and learning has grown significantly. This document serves to fulfill the legislative requirement that mandates SHACs to submit a written report to the Board at least once annually. We hope that, with this report, the Board and SHAC can continue to work together to support the health and well-being of the students. Also, in this section are the curriculum resources utilized by the campuses as referenced in the NEW PROGRAMS AND RECOMMENDATIONS section of this report.

North Texas Child Advocacy Center

- [Happy Bear.pdf](#)
- [Kid Safety.pdf](#)
- [Personal Safety for Middle School.pdf](#)
- [Sexual Assault.pdf](#)

Proctor & Gamble's Always Changing and Growing Up Boys Proctor & Gamble's Always Changing and Growing Up Girls

Boys and Girls Club

- [Positive Action and Prevention Programs](#)

Lake Dallas ISD AI Committee

Presenter: Dr. Kelly O'Sullivan and Katie Landaverde

Event: LDISD Board of Trustees Meeting

Date: August 26, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS





Strategic

PLAN BALANCED SCORECARD

WE BELIEVE

- **Students** are growth-minded leaders who are active and respected members of the Falcon Family.
- **Parents and families** are involved and engaged members of the Falcon Family through collaborative two-way communication.
- **Faculty and staff** value collaboration and communication to develop lifelong Falcon Learners.
- **Campus leaders and principals** develop campus and faculty staff through professional development and consistent two-way communication to prepare our Falcons for the future.
- **The Superintendent and central office** motivate and develop faculty and staff to meet the academic needs of all Falcons.
- **The School Board** is a unified team of 8 that functions as a fiscally responsible team that is involved and transparent in their support of the Falcon Family.

PRIORITIES



STUDENT SUCCESS

- 1.1** Yearly Student Academic Growth
1.2 Student Engagement & Culture
1.3 Students are Responsible, Contributing Community Members



FACULTY & STAFF ENGAGEMENT

- 2.1** Faculty/Staff Recruitment & Retention
2.2 Faculty/Staff Professional Development
2.3 Faculty/Staff Engagement & Culture



PARENT & FAMILY/ COMMUNITY SUPPORT

- 3.1** Parent & Family/Community Communication
3.2 Parent & Family/Community Engagement



EFFICIENT OPERATIONS

- 4.1** Ensure Strong Financial Stewardship
4.2 Well-Maintained Facilities
4.3 Safe School Environment

#FalconsFirst

Vision: *Small School Atmosphere, Big School Opportunities*

Mission: *In Lake Dallas ISD, we inspire, educate, & empower our students.*

Board Approved: June 2022



STUDENT SUCCESS



PARENT & FAMILY/ COMMUNITY SUPPORT



FACULTY & STAFF ENGAGEMENT



EFFICIENT OPERATIONS

PURPOSE

- Explore AI's Role in Education
- Equip Students and Staff with Innovative Learning Tools
- Promote Responsible and Safe Technology Use
- Prepare Students for Future Careers



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



PROCESS

- AI Committee
- Research
- Stakeholder Participation
- Professional Development



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



GUIDING PRINCIPLES

- Responsible AI Use for Students and Staff
- Academic Integrity
- Privacy and Data Security



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



SAFETY MEASURES

- Committed to Prioritizing Student Safety while Embracing Innovation
- Existing and Proactive Protections
- Cybersecurity Vetting
- Adapting Policies



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



BALANCED INTEGRATION

- Teacher Autonomy, Training, and Support
- Meaningful AI Integration While Respecting Unique Classroom Dynamics
- Addressing Digital Divides



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



Next Steps

Fall 2024

- Expand Stakeholder Input
 - District Education Improvement Committee
 - Teacher Advisory Committee
 - Student Advisory Committee
- Professional Development

Winter 2025

- Begin Implementation of AI Learning Tools
- Continuous Monitoring and Feedback



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
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EFFICIENT OPERATIONS



STUDENT SUCCESS



PARENT & FAMILY/
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EFFICIENT OPERATIONS

Any Questions?



Minutes of Regular Board Meeting

The Board of Trustees Lake Dallas Independent School District

A Regular Meeting of the Board of Trustees of Lake Dallas Independent School District was held Monday, August 12, 2024, beginning at 5:30 PM at 104 Swisher Rd., Lake Dallas, TX 75065.

PRESENT: President Lance Stacy, Vice President Ginger Collier, Secretary Mark Tucker, Trustees Scott Baird, Greg Bartley, Bruce Smith, Aaron Appleby and Superintendent Dr. Kristin N. Brown

1. Call to Order, Roll Call, and Establishment of Quorum – 5:30 PM

2. Moment of Silence and Pledges of Allegiance

President Lance Stacy led the moment of silence. The pledges of allegiance were led by Karla Landrum, Executive Director of Human Resources.

3. Introductions

Karla Landrum, Executive Director of Human Resources introduced new Falcon District and Campus Leaders.

- Juli Bartley- Assistant Principal, Lake Dallas Middle School
- Melanie Vasquez - Assistant Principal, Lake Dallas High School
- Amina Jackson - Instructional Coach, Lake Dallas Middle School
- Erin Glowney- Lead Diagnostician/Dyslexia Coordinator

4. Executive Session

The open session of the meeting adjourned at 5:37 pm. The Board of Trustees moved to executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code).

The Board reconvened to open session at 6:28 pm.

5. Public Comment

Persons desiring to address the Board of Trustees were given the opportunity to sign up to speak.

No one signed up to speak to the Board.

6. INFORMATION ITEMS

A. *Efficient Operations:* Extracurricular Activities for Absences

John Modica, Chief Operations Officer, presented information pertaining to Extracurricular Activities for Absences. According to the Student Attendance Accounting Handbook, a student not actually on campus at the time attendance is taken may be considered in attendance if the student is participating in an activity that is approved by the local school board and is under the direction of a professional staff member, an adjunct staff member, or a paraprofessional staff member of the school district.

Programs considered Extracurricular Activities for Absences include athletic events, fine arts events, Superintendent or campus approved activities, CTE programs/events, and school sponsored field trips

B. *Efficient Operations:* Attendance Committees

John Modica, Chief Operations Officer, discussed FEC(Legal) and FEC(Local) which state a board shall appoint one or more attendance committees to hear petitions for class credit or a final grade by students who have not met the 90 percent rule and have not earned class credit or a final grade by completing a principal's plan.

LDISD Attendance Campus Committees

- Campus Principal or Assistant
- Counselor
- School Nurse
- Classroom teachers (4)

C. *Efficient Operations:* District Fees

John Modica, Chief Operation Officer, discussed student fees and membership dues collected by the district. Such fees include membership dues, personal athletic or fine arts equipment, personal apparel associated with extracurriculars, and products for optional purchase of students such as yearbooks, class rings, etc.

D. *Student Success:* Agency Collaboration on Provision of Shared Services between Lake Dallas ISD and Boys & Girls Clubs of Greater Tarrant County

John Modica, Chief Operations Officer, presented information on the collaboration of Lake Dallas ISD and Boys & Girls Clubs of Greater Tarrant County and the various preventive educational programs that can be implemented at each campus to meet the needs of students as it pertains to conflict resolution, behavioral health, or substance abuse.

E. *Efficient Operations:* Strategic Plan Priority 4

John Modica, Chief Operations Officer, discussed Strategic Plan Priority 4, Efficient Operations. Highlights of the presentation included...

- Completed Work Order and Response Time
- Upbeat Survey Results Currently at 73%
- Armed Security Officers at each Campus
- 100% Passing Score of the State Intruder Door Audits
- Trainings on AEDs, Narcan, CPR and Emergency Response Protocols

F. *Efficient Operations:* Construction Update

Wes Eversole, Deputy Superintendent, presented an update on the construction progress at Lake Dallas High School.

7. **CONSENT AGENDA ITEMS**

Consent Agenda Items are items identified as routine, procedural, informational or self-explanatory presented as a single motion to be acted on at one time.

It was MOVED by Scott Baird and SECONDED by Mark Tucker to approve the Consent Agenda as presented.

A. **Consideration/Approval of the Minutes of the July 22, 2024, Regular Board Meeting**

B. **Consideration/Approval of Monthly Financial Statements**

C. **Consideration/Approval of Budget Amendment #5**

D. **Consideration/Approval of District Fees**

E. **Consideration/Approval of Updated Strategic Plan**

F. **Consideration/Approval of Extracurricular Activities for Absences**

G. **Consideration/Approval of Agency Collaboration on Provisions of Shared Services between Lake**

- Dallas ISD and Boys and Girls Clubs of Greater Tarrant County
- H. Consideration/Approval of Lake Dallas ISD and Denton County JJAEP MOU
 - I. Consideration/Approval of Resolution for Superintendent Hiring Authority
 - J. Consideration/Approval of Attendance Committees
 - K. Consideration/Approval of Innovative Courses for the 2024-2025 School Year
 - L. Consideration/Approval of Updated T-TESS Appraisers
 - M. Consideration/Approval of Child Nutrition Adult and Visitor Breakfast and Lunch process for the 2024-2025 School Year

MOTION PASSED 7-0.

8. ACTION ITEMS

- A. **Efficient Operations:** Consideration/Approval of Budget Update and Authorize the Publishing of the Proposed Tax Rate and the Notice of Public Meeting to Discuss Budget and Tax Rate for the 2024-2025 School Year

Wes Eversole, Deputy Superintendent, presented the item consider the approval of the Budget Update and Authorize the Publishing of the Proposed Tax Rate and the Notice of Public Meeting to Discuss Budget and Tax Rate for the 2024-2025 School Year

The district must advertise the Notice of Public Meeting to Discuss Budget and Proposed Tax Rate in a daily newspaper distributed in the district (Texas Education Code 44.004). Setting the date and time for the Budget and Tax Rate Hearing will allow the district to comply with the Truth in Taxation process:

- A notice of the Budget and Proposed Tax Rate Meeting must be published in a daily, weekly, or biweekly newspaper. The notice must be published no earlier than the 30th day or later than the 10th day before the hearing date.
- The Finance Department will prepare the Truth in Taxation documents necessary for the published notice.
- LDISD will publish the Proposed Tax Rate and Notice for the Public Meeting to be held on August 26, 2024, in the Denton Record-Chronicle

LDISD has submitted the following to the Texas Education Agency through the Local Property Value Study:

- The Denton County Appraisal District provides the estimate of taxable values.
- Denton County assists in the calculation of the tax notice.

The General Fund reflects a budget deficit of \$357,440. The Child Nutrition Fund reflects a budget deficit of \$480,192, which includes a one-time expenditure of \$432,307 to purchase a new serving line for Lake Dallas Elementary and an additional service line for Lake Dallas High School. These purchases were included in the 2023-24 budget but will be installed in September.

The Debt Service budget is based on maintaining the current \$. 50 tax rate and prepaying \$5,085,000 of existing bonds. Prepaying these bonds will reduce the district's future interest cost by \$1,009,351. Included is Josh McLaughlin's (the district's financial advisor) analysis of prepaying existing debt during the 2024-25 school year.

The proposed tax rate is \$1.2552 which is lower than last year's adopted tax rate of \$1.2575.

It was **MOVED** by Bruce Smith and **SECONDED** by Greg Bartley to Authorize the publishing of the proposed tax rate not to exceed \$1.2552 and the Notice of Public Meeting to Discuss the Budget and Tax Rate for the 2024-25 school year, which is scheduled to be held on August 26, 2024.

MOTION PASSED 7-0.

- B. *Efficient Operations:*** Consideration/Approval of an Agreement for the Purchase of Attendance Credit (Option 3 Agreement) and to Delegate Contractual Authority to the Superintendent

Wes Eversole, Deputy Superintendent, presented the item to consider the approval of an Agreement for the Purchase of Attendance Credit (Option 3 Agreement) and to Delegate Contractual Authority to the Superintendent.

The Texas Education Agency has notified the district that Lake Dallas ISD's Tier One local share will exceed the district's entitlement for the school year 2024-2025. In addition, the district must approve an agreement with TEA that allows the reduction of our wealth per weighted student to a level that is not greater than the equalized wealth level as determined by the commissioner of education in accordance with current law. TEA will reduce the district's wealth per student and subtract Chapter 49 recapture payments from Foundation School Program funding.

The Board may delegate the authority to allow the Superintendent to submit Chapter 49 documentation. The notification letter is included. If this delegation of responsibility is approved, the following required language will be recorded in the board minutes.

Recommendation: Approve to delegate certain matters relating to the District's Chapter 49 obligations and submission to the Superintendent of Schools for the 2024-25 School Year using the language included in the motion:

It was **MOVED** by Ginger Collier and **SECONDED** by Aaron Appleby for the 2024-2025 school year, we delegated contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.006. This included approval of the Agreement for the Purchase of Attendance Credit or the Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding).

MOTION PASSED 7-0.

- C. *Efficient Operations:*** Consideration/Approval of TASB Delegate and Alternate for the TASB Delegate Assembly

Dr. Kristin N. Brown, Superintendent, presented the item to approve a TASB Delegate and Alternate for the TASB Delegate Assembly.

It was **MOVED** by Ginger Collier and **SECONDED** by Bruce Smith to approve Scott Baird as the TASB Delegate and Aaron Appleby as the Alternate for the TASB Delegate Assembly.

MOTION PASSED 7-0

D. *Efficient Operations:* Consideration/Approval of Policy Update 123

Dr. Kristin N. Brown, Superintendent, presented Local Policy Update 123 which reflected recent legislation and TASB recommendations.

Instruction Sheet			
TASB Localized Policy Manual Update 123			
Lake Dallas ISD			
Code	Type	Action To Be Taken	Note
ATTN	(VOTE)	No policy enclosed	See explanatory note
ABB	(LEGAL)	Replace policy	Revised policy
AIC	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
BBA	(LEGAL)	Replace policy	Revised policy
BBBB	(LEGAL)	Replace policy	Revised policy
BBD	(LOCAL)	Replace policy	Revised policy
BBFA	(LOCAL)	Replace policy	Revised policy
CCD	(LEGAL)	Replace policy	Revised policy
CCGA	(LEGAL)	Replace policy	Revised policy
CCGB	(LEGAL)	Replace policy	Revised policy
CKB	(LEGAL)	Replace policy	Revised policy
CKC	(LOCAL)	Replace policy	Revised policy
CKEC	(LOCAL)	Replace policy	Revised policy
CKED	(LEGAL)	ADD policy	See explanatory note
CMD	(LEGAL)	Replace policy	Revised policy
CPC	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CQC	(LEGAL)	Replace policy	Revised policy
CQC	(LOCAL)	ADD policy	See explanatory note
DCE	(LOCAL)	Replace policy	Revised policy
DGBA	(LOCAL)	Replace policy	Revised policy
DHE	(LEGAL)	Replace policy	Revised policy
DNA	(LEGAL)	Replace policy	Revised policy
DP	(LEGAL)	Replace policy	Revised policy
EEH	(LOCAL)	Replace policy	Revised policy
EF	(LEGAL)	DELETE policy	See explanatory note
EF	(LOCAL)	DELETE policy	See explanatory note
EFA	(LEGAL)	Replace policy	Revised policy
EFA	(LOCAL)	ADD policy	See explanatory note
EFB	(LEGAL)	Replace policy	Revised policy
EFB	(LOCAL)	ADD policy	See explanatory note
EHBA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy

- 1 -

Instruction Sheet			
TASB Localized Policy Manual Update 123			
Lake Dallas ISD			
Code	Type	Action To Be Taken	Note
EHBE	(LEGAL)	Replace policy	Revised policy
EHBJ	(LEGAL)	Replace policy	Revised policy
ERB	(LEGAL)	Replace policy	Revised policy
FA	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FNG	(LOCAL)	Replace policy	Revised policy
GBA	(LEGAL)	Replace policy	Revised policy
GF	(LEGAL)	Replace policy	Revised policy
GF	(LOCAL)	Replace policy	Revised policy
GKA	(LEGAL)	Replace policy	Revised policy
GRA	(LEGAL)	Replace policy	Revised policy

Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

ATTN(NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

Please note:

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 88th Legislature, regular and special sessions. All referenced bills have already gone into effect unless otherwise noted.

The Local Policy Overview for Update 123, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online® (TASB login required), provides a general, high-level overview of the changes to the local policies included in the update. Legal policies provide the legal framework for key areas of district operations and are not adopted by the board.

AIB(LEGAL) ACCOUNTABILITY: PERFORMANCE REPORTING

The Results Driven Accountability (RDA) section of the policy has been deleted. TEA included RDA information in the Accountability Manual starting in 2023 and repealed the RDA information in the Administrative Code. This change aims to streamline information used in academic accountability and RDA systems.

AIC(LEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS

A citation to the Administrative Code has been included under Student Enrollment and Assignment, Enrollment Provision in Contract, regarding campuses that are closed and repurposed.

As 19 TAC 97.2005 has been repealed, the reference to Results Driven Accountability has been deleted from the section on Special Program Performance Determination.

AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS

The word "accreditation" has been removed as a descriptor for investigations in two places within the policy after an amendment to the Administrative Code, effective January 17, 2024.

BBB(LEGAL) BOARD MEMBERS: ELIGIBILITY/QUALIFICATIONS

At Intent to Return, language from the Election Code has been included to minimize confusion regarding the specific requirements for establishing an intent to return to the individual's residence after a temporary absence.

BBB(LEGAL) ELECTIONS: POST-ELECTION PROCEDURES

HB 5180 added new requirements for public inspection of election records. A reference has been added at Election Records regarding where to find information on public inspection of those records for districts who serve as custodians of their own election records.

BBB(LEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION

HB 3033 authorizes the attorney general to require trustees to complete training on the Public Information Act if the attorney general finds that there has been a violation of the Act. Language is recommended to make clear that this training after a violation cannot be delegated to the district's Public Information Act coordinator.

BBFA(LOCAL) ETHICS: CONFLICT OF INTEREST DISCLOSURES

Language is recommended to clarify that a trustee's ethical duty to disclose a financial or other personal interest in board transactions goes beyond the statutory conflicts of interest set out in state and federal law. The added language serves to demonstrate a commitment to avoid undue influence, increase transparency, and avoid the appearance of impropriety in public dealings.

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

CPC(LEGAL) OFFICE MANAGEMENT: RECORDS MANAGEMENT

Edits to this policy at Destruction of Records remove a reference to 13 TAC 7.123(c), which was deleted from Texas State Library and Archives Commission rules, effective March 6, 2024.

COA(LEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

HB 3273, effective January 1, 2024, requires school districts to post a notice informing property owners of the property tax database maintained by the appraisal district. Language has been added at Item 28 under the section on Other Required Internet Postings.

COC(LEGAL) TECHNOLOGY RESOURCES: EQUIPMENT

A section on Guidelines for Use of Digital Devices has been added to address the TEA and Health and Human Services Commission model health and safety guidelines for the use of digital devices, which are required by the Education Code and were issued in October 2023.

COC(LOCAL) TECHNOLOGY RESOURCES: EQUIPMENT

This new local policy is recommended to meet the legal requirement for the board to adopt a policy for the effective integration of digital devices in the district. The policy language adopts the model health and safety guidelines developed by TEA and the Health and Human Services Commission and clarifies that the superintendent must develop regulations for implementation.

DCE(LOCAL) EMPLOYMENT PRACTICES: OTHER TYPES OF CONTRACTS

Revisions at Termination During Contract Term are recommended to specify that an employee may request a hearing before the board to appeal discharge during the contract period and to differentiate between terminations during and at the end of the contract term.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

DGBA(LOCAL) PERSONNEL MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes.

Also, to accommodate planned restructuring of policy DIA, we have revised the references to that code in this policy to reflect the DIA series. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

DHE(LEGAL) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING

New Department of Transportation rules amend the department's regulated industry drug testing program. The language in the Reports to DPS section has been amended for clarity.

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

CCG(LEGAL) LOCAL REVENUE SOURCES: AD VALOREM TAXES

HB 3273, effective January 1, 2024, revised the Tax Code and requires a taxing unit, including a school district, to provide specific notice to property owners on its website. These provisions have been included in the Appraisal District Property Tax Database section of the policy.

CCGA(LEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

This policy has been updated to indicate that a board that adopted an exemption for the 2022 tax year may not reduce the amount or repeal that exemption based on SB 2 from the second special session of the 88th Legislature. [See Homestead, Local Options.]

HB 4559, from the 88th regular session, increased the population range for certain districts to provide that the split payment option does not apply to the district's taxes collected by another taxing unit that has adopted that option. [See Split Payments, In Certain Counties.]

CCGB(LEGAL) AD VALOREM TAXES: ECONOMIC DEVELOPMENT

HB 4559 increased the population threshold for determining a large municipality for provisions related to the appointment of reinvestment zone board members. [See Tax Increment Financing Act, Large Municipality.]

Substantial changes have also been made based on HB 5 to incorporate the Texas Jobs, Energy, Technology, and Innovation Act.

CKB(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS

TEA's amendments to the Administrative Code rules for mandatory school drills necessitated reorganization of definitions and added clarity to several sections of the policy. Changes in this policy also reflect TEA's amendments to the Administrative Code rules related to active threat exercises.

CKC(LOCAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

A section on Notice Regarding Violent Activity is recommended to comply with legal requirements. Administrative procedures must be created to align with TEA's model standards.

CKEC(LOCAL) SECURITY PERSONNEL: SCHOOL RESOURCE OFFICERS

Significant revisions are recommended to the CKE policy series to promote compliance and clarification with HB 3 and other legal requirements. The policy has been edited to clarify that a district may have agreements with multiple law enforcement agencies depending on district needs and jurisdiction. A statement regarding the jurisdiction of school resource officers has been added. The policy also now includes a list of authority and duties as reflected in the controlling memorandum of understanding.

CKED(LEGAL) SECURITY PERSONNEL: OTHER SECURITY ARRANGEMENTS

The provisions of this policy address commissioned security officers with Level III training under the Department of Public Safety hired through a security services contractor or as a district employee in accordance with the Education Code and the Occupations Code.

CMD(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

Cross-references throughout this policy have been updated to EFA since policy EF has been separated into EFA (instructional materials) and EFB (library materials).

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

DNA(LEGAL) PERFORMANCE APPRAISAL: EVALUATION OF TEACHERS

Amendments to the Administrative Code allow districts to begin using the Alternate Domain I rubric as part of the Texas Teacher Evaluation and Support System (TT-ESS) beginning with the 2024-25 school year. Language has been updated to reflect this change.

DP(LEGAL) PERSONNEL POSITIONS

The section on School Psychological Services has been amended to provide additional clarity and to set out the correct title for licensed specialists in school psychology (LSSPs) as indicated in the Administrative Code.

EEH(LOCAL) INSTRUCTIONAL ARRANGEMENTS: HOMEBOUND INSTRUCTION

TEA's revisions to the *Student Attendance Accounting Handbook (SAAH)* prompted recommended updates to this policy. Students may now receive homebound services for psychological, as well as medical, conditions. The SAAH also indicates that the weeks of confinement due to a medical or psychological condition do not need to be consecutive to qualify. The policy language has been updated to reflect this change.

EF(LEGAL) INSTRUCTIONAL RESOURCES

In order to clarify the differences in requirements for instructional materials and library materials, as well as to accommodate the new library collection development standards, policy EF has been divided into EFA (instructional material) and EFB (library material). The content in EF(LEGAL) has moved to either EFA or EFB, as appropriate.

EF(LOCAL) INSTRUCTIONAL RESOURCES

As explained at EF(LEGAL), above, this local policy addressing instructional resources is being deleted. New local policies to address instructional materials and library materials separately are included at EFA and EFB.

EFA(LEGAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

Content regarding instructional material review and federally required parental inspection has been moved from EF(LEGAL) to EFA(LEGAL).

EFA(LOCAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

The enclosed policy regarding instructional materials is recommended to coordinate with the policy addressing library materials at EFB(LOCAL). The provisions previously housed at EF(LOCAL) have been moved to this code with the following revisions:

- At Selection, a clarification has been made to reflect that instructional materials must be chosen in accordance with stated objectives and administrative regulations and may include items from the State Board of Education list.
- At Reconsideration of Instructional Materials, the list of individuals who can submit a request for reconsideration has been revised. This change is recommended to align with the list provided in the new EFB(LOCAL), which permits an employee or parent or guardian to submit these requests. If the district would like to expand this list, please contact your policy consultant.

Please review the information at Formal Reconsideration, which specifies who will receive forms requesting the reconsideration of instructional material and who will appoint a reconsideration committee. If the policy needs to identify a different position for these responsibilities, please contact your policy consultant for assistance with revisions.

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

EFB(LEGAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

EFB(LEGAL) has been revised to incorporate new library collection development standards adopted by the Texas State Library and Archives Commission (TSLAC), effective January 23, 2024. The policy includes a note regarding the Fifth Circuit Court of Appeals enjoinder and the resulting unenforceability of certain statutes related to library material. The TSLAC Library Collection Development Standards are not currently enjoined by the Fifth Circuit Court of Appeals.

EFB(LOCAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

This recommended policy aligns with changes to the Administrative Code and the new collection development standards for school libraries as a result of HB 900. Please review the following information in your policy:

- The location of the form for formal reconsideration;
- The position title for the person responsible for appointing the reconsideration committee; and
- The number of days allocated for appointing the committee, providing the material for review to the committee, and completing the committee's final report.

If any information needs to be updated or if further revisions to the policy are needed, please contact your policy consultant for assistance.

EHBA(LEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

A cross-reference to policy EHB has been included for additional requirements relating to the evaluation and identification process when dyslexia is a suspected disability. [See Determination of Initial Eligibility.]

EHBA(LEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

The section on Supplemental Special Education Services (SSES) has been revised to reflect amended Administrative Code rules, effective April 18, 2023. The district is required to notify parents of SSES eligibility and related information during an ARD committee meeting.

A provision regarding an IEP supplement for each child who was enrolled in a district's special education program during the 2019-20 school year or the 2020-21 school year has been removed. That requirement expired on September 1, 2023.

EHBE(LEGAL) SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL

Extensive revisions have been made throughout this policy to reflect amended rules relating to emergent bilingual students.

EHBJ(LEGAL) SPECIAL PROGRAMS: INNOVATIVE AND MAGNET PROGRAMS

Changes to this policy stem from amended Administrative Code provisions relating to innovative courses. The amended rules became effective February 18, 2024.

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Revisions have been made to remove language that does not require district action to aid in readability and clarity. Citations have also been updated based on rule changes.

FA(LEGAL) PARENT RIGHTS AND RESPONSIBILITIES

The cross-reference at Parental Rights relating to teaching materials has been updated to reflect the division of policy EF into EFA and EFB.

FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

A section on Telehealth in Medicaid Covered Services has been added to provide guidance from Administrative Code rules specific to telehealth services authorized as Texas Medicaid covered services.

The section on opioid antagonists has been updated to reflect new rules effective November 1, 2023. Changes have also been made to the section on epinephrine auto-injectors to reflect amended Administrative Code rules.

Citations throughout have been updated based on rule amendments.

FNG(LOCAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes.

Also, to accommodate planned restructuring of policy FFH, we have revised the references to that code in this policy to reflect the FFH series. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

GBA(LEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO PUBLIC INFORMATION

A cross-reference regarding economic development negotiations under Government Code Chapter 403 has been added.

GF(LEGAL) PUBLIC COMPLAINTS

The division of policy EF into EFA and EFB necessitated an update to the cross-reference in this policy.

GF(LOCAL) PUBLIC COMPLAINTS

Extensive revisions within the CKE policy series necessitated an update to the cross-reference in the list of other complaint processes. No other changes have been made to this policy.

The Legal Issues in Update 123 memo, available with your Update 123 materials under [Local Manual Updates](#) on Policy Online (TASB login required), describes common legal concerns and best practices specific to this policy's topic.

GKA(LEGAL) COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

Amendments to the Code of Federal Regulations necessitated changes to the section regarding operation of a small unmanned aircraft system.

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Explanatory Notes
TASB Localized Policy Manual Update 123

Lake Dallas ISD

GRA(LEGAL) RELATIONS WITH GOVERNMENTAL ENTITIES: STATE AND LOCAL GOVERNMENTAL AUTHORITIES

The Definitions section has been revised to reflect amended Administrative Code rules that include school resource officers and contracted police officers in the definition of "school personnel and volunteers."

Language has been added at Notice to School Personnel to provide direction if the superintendent is the individual alleged to have committed child abuse or neglect.

The Students Taken into Custody section has been updated to incorporate appropriate legal citations and improve clarity.

(LOCAL) Policy Action List

LAKE DALLAS ISD (061912) - Update 123

BBD(LOCAL): BOARD MEMBERS - TRAINING AND ORIENTATION
BBFA(LOCAL): ETHICS - CONFLICT OF INTEREST DISCLOSURES
CKC(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - EMERGENCY PLANS
CKEC(LOCAL): SECURITY PERSONNEL - SCHOOL RESOURCE OFFICERS
CQC(LOCAL): TECHNOLOGY RESOURCES - EQUIPMENT
DCE(LOCAL): EMPLOYMENT PRACTICES - OTHER TYPES OF CONTRACTS
DGBA(LOCAL): PERSONNEL-MANAGEMENT RELATIONS - EMPLOYEE COMPLAINTS/GRIEVANCES
EEH(LOCAL): INSTRUCTIONAL ARRANGEMENTS - HOMEBOUND INSTRUCTION
EF(LOCAL): INSTRUCTIONAL RESOURCES
EFA(LOCAL): INSTRUCTIONAL RESOURCES - INSTRUCTIONAL MATERIALS
EFB(LOCAL): INSTRUCTIONAL RESOURCES - LIBRARY MATERIALS
FNG(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT AND PARENT COMPLAINTS/GRIEVANCES
GF(LOCAL): PUBLIC COMPLAINTS

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It was **MOVED** by Aaron Appleby and **SECONDED** by Bruce Smith to approve Policy Update 123 as presented.

MOTION PASSED 7-0

9. CALENDAR, ANNOUNCEMENT & INFORMATION

A. Upcoming Meetings & Events

Dr. Kristin Brown, Superintendent, presented upcoming events occurring between board meetings.

10. Executive Session

The Board of Trustees did not move to executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code).

11. Adjournment

The meeting was adjourned at 7:47 pm.

Lance Stacy, Board President

Mark Tucker, Board Secretary

LAKE DALLAS ISD BUDGET AMENDMENT REQUEST

Org.: C+I

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES								(USE WHOLE DOLLAR AMOUNTS ONLY.)		
199	11	6299	43	999	0	11	Misc Contr SVCs C&I	0	3150	3150
199	11	6329	76	999	0	24	Books & Reading EB	0	66	66
199	11	6334	23	999	0	21	Testing Materials GT	3000	104	3104
199	11	6395	23	999	0	21	Supplies and Materials GT	2400	300	2700
199	11	6395	43	999	0	24	Supplies and Materials C&I	1000	647	1647
199	11	6411	23	999	0	21	Travel EMP GT	700	1096	1796
199	11	6499	43	999	0	11	Misc Fees/Dues/Others C&I	0	1286	1286
199	11	6499	76	999	0	24	Misc Fees/Dues/Others EB	237	59	296
199	13	6499	17	999	0	99	Misc Fees/Dues/Others Instr Coach	400	460	860
199	21	6329	43	999	0	99	Books & Reading C&I	500	320	820
199	21	6395	18	999	0	99	Supplies and Materials C&I	0	116	116
199	21	6395	21	999	0	99	Testing	0	30	30
199	21	6395	43	999	0	99	Supplies & Materials C&I	2000	6932	8932
199	21	6411	00	999	0	99	Travel Emp only	0	93	93
199	21	6411	23	999	0	99	Travel Emp GT	0	269	269
199	21	6411	43	999	0	99	Travel Emp C&I	5000	13607	18607
199	21	6499	21	999	0	99	Misc Fees/Dues/Other Testing	0	40	40
199	21	6499	43	999	0	99	Misc Fees/Dues/Other C&I	700	7425	8125
199	21	6499	76	999	0	24	Misc Fees/Dues/Other ELL	0	158	158
199	11	6395	76	999	0	25	Supplies Materials EB	40000	-36158	3842
TOTAL EXPENDITURES								55937	0	55937

NET CHANGE TO FUND BALANCE

0

+INCREASE/(DECREASE)

EXPLANATION:

Processed by _____

Date: _____

ADMINISTRATIVE OFFICE USE ONLY

ORIGINATOR

SUPERVISOR/PRINCIPAL

DIRECTOR OF ACCOUNTING

SUPERINTENDENT

BOARD SECRETARY

BOARD PRESIDENT

DATE

DATE

DATE

DATE

DATE

DATE

White copy to be filed in Board Book

Yellow copy to be filed in Administration Office

Pink copy to be retained by Supervisor

LAKE DALLAS ISD BUDGET AMENDMENT REQUEST

Number: _____

Org.: _____

FUND	FUNC	OBJECT	SUB	ORG	YR	PROG	LOC	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET

EXPENDITURES

(USE WHOLE DOLLAR AMOUNTS ONLY.)

199	11	6298	0	101	0	11	101	Postage	300	147	447
199	11	6395	0	101	0	32	101	Supplies/Materials	0	911	911
199	11	6398	0	101	0	11	101	Computer Software	400	1199	1599
199	11	6398	74	101	0	11	101	Computer Software Eduph	2000	203	2203
199	11	6411	0	101	0	11	101	Travel Emp. Only	100	1215	1315
199	11	6497	0	101	0	11	101	Awards	1000	361	1361
199	13	6239	0	101	0	11	101	E.S.C. Services	2000	14	2014
199	23	6395	0	101	0	99	101	Supplies/Materials	200	350	550
199	23	6411	0	101	0	99	101	Travel Emp. Only	2000	480	2480
199	23	6499	0	101	0	99	101	Misc-Fees/Dues/Oth e	1000	686	1686
199	31	6411	0	101	0	99	101	Travel Emp. Only	180	60	240
199	12	6411	0	101	0	99	127	Travel Emp. Only	500	-500	0
199	23	6296	0	101	0	99	101	Printshop	275	-200	75
199	13	6499	0	101	0	99	101	Misc-Fees/Dues/Oth e	200	-50	150
199	31	6395	0	101	0	99	101	Supplies/Materials	100	-100	0
199	12	6395	0	101	0	99	127	Supplies/Materials	3000	-1000	2000
199	11	6395	0	101	0	11	101	Supplies/Materials	32961	-3776	29185
TOTAL EXPENDITURES									46216	0	46216

NET CHANGE TO FUND BALANCE

+INCREASE/(DECREASE)

0

EXPLANATION: Reduce the amount in areas that are unexpectedly over budget, and increase the amount of areas that incurred unexpected expense.

Processed by: _____

Date: _____

(ADMINISTRATIVE OFFICE USE ONLY)

Beckie Martinez

ORIGINATOR

SUPERVISOR/PRINCIPAL

Anne Haehn

DIRECTOR OF ACCOUNTING

DIRECTOR OF ACCOUNTING

SUPERINTENDENT

BOARD SECRETARY

BOARD PRESIDENT

8/19/24

DATE

8/19/24

DATE

8-22-24

DATE

DATE

DATE

DATE

DATE

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Pink copy to be retained by Supervisor

LAKE DALLAS ISD BUDGET AMENDMENT REQUEST

Number: _____

Org.: _____

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES								(USE WHOLE DOLLAR AMOUNTS ONLY.)		
199	11	6499	0	105	0	99	MISC-FEES/DUES/OTH EXPENS	1000	-279	721
199	11	6395	0	105	0	11	SUPPLIES/MATERIALS	33368	-5440	27928
199	23	6395	0	105	0	99	SUPPLIES/MATERIALS	1500	5154	6654
199	31	6296	0	105	0	99	PRINT SHOP	25	565	590
										0
										0
										0

TOTAL EXPENDITURES

35893 0 35893

REVENUES

										0
										0
										0
										0

TOTAL REVENUES

0 0 0

NET CHANGE TO FUND BALANCE

+INCREASE/(DECREASE)

0

EXPLANATION:

This Budget amendment is being completed to cover the shortage in leadership Supplies/Materials & Counseling printshop. Laptops for Principal and Assistant Principal were purchase, additional equment for the Raptor system and Copies for Counseling lessons.

Processed by _____
Date: _____

(ADMINISTRATIVE OFFICE USE ONLY)

Alvin R...

ORIGINATOR

J. Bryant

SUPERVISOR/PRINCIPAL

Anne Haehn

DIRECTOR OF ACCOUNTING

8/16/24

DATE

8/16/24

DATE

8-22-24

DATE

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Pink copy to be retrained by Supervisor

SUPERINTENDENT

DATE

BOARD SECRETARY

DATE

BOARD PRESIDENT

DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES								(USE WHOLE DOLLAR AMOUNTS ONLY.)		
199	11	6264	00	103	0	11	Equip Lease	6000	-5186.06	813.94
199	11	6395	00	103	0	11	Supplies/materials	17,899	2588.81	20,488
199	12	6395	00	103	0	99	Supplies/materials	2000	2597.25	4597.25
199	13	6291	00	103	0	99	consulting services	10000	-4834.15	5165.85
199	23	6395	00	103	0	99	Supplies/materials	2000	4834.15	6834.15
199				103	0					0
199				103	0					0
199				103	0					0
199				103	0					0
199				103	0					0
199				103	0					0
199				103	0					0
199				103	0					0
TOTAL EXPENDITURES								37899	0	37899

REVENUES

										0
										0

TOTAL REVENUES

0	0	0

NET CHANGE TO FUND BALANCE

0

+INCREASE/(DECREASE)

EXPLANATION:

End of year balance of the budget

Processed by _____

Date: _____

(ADMINISTRATIVE OFFICE USE ONLY)

ORIGINATOR

DATE

SUPERVISOR/PRINCIPAL

DATE

DIRECTOR OF ACCOUNTING

DATE

SUPERINTENDENT

DATE

BOARD SECRETARY

DATE

BOARD PRESIDENT

DATE

White copy to be filed in Board Book

copy to be filed in Administration Office

copy to be retained by Supervisor

FUND FUNC OBJECT SUB ORG YEAR PROG LOC
OBJ CODE CODE
EXPENDITURES

DESCRIPTION

CURRENT INCREASE/ PROPOSED
BUDGET (DECREASE) BUDGET
(USE WHOLE DOLLAR AMOUNTS ONLY.)

199	51	6247	0	1	0	99	800	Facility Repairs - HS	68,797	85,483	154,280
199	51	6247	0	41	0	99	800	Facility Repairs - MS	50,000	142,859	192,859
199	51	6247	0	101	0	99	800	Facility Repairs - LDE	25,000	38,224	
199	51	6247	0	103	0	99	800	Facility Repairs - Cor	25,000	42,346	67,346
199	51	6245	14	905	0	99	800	HVAC Repairs Central Services	1,000	41,724	42,724

TOTAL EXPENDITURES

169,797	350,636	457,209

REVENUES

199	0	5711	0	0	0	0	0	Taxes	21,317,530	65,000	21,382,530
199	0	5719	0	0	0	0	0	Taxes Penalty and Interest	137,976	90,000	227,976
199	0	5745	6	0	0	0	0	Insurance Recovery	0	103,628	103,628
199	0	5752	0	0	0	0	0	Athletic Activity	100,000	27,324	127,324

TOTAL REVENUES

21,555,506	285,952	21,841,458

NET CHANGE TO FUND BALANCE

-64,684

+INCREASE/(DECREASE)

EXPLANATION:

Amends the budget to reflect additional recognized revenue

Amends the budget to reflect the cost of repairs at the HS, MS, LDE, CE and Central Services

Processed by _____
Date: _____

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_____ ORIGINATOR	_____ DATE
_____ SUPERVISOR/PRINCIPAL <i>Anne Haebler</i>	_____ DATE <i>8-26-24</i>
_____ DIRECTOR OF ACCOUNTING	_____ DATE
_____ SUPERINTENDENT	_____ DATE
_____ BOARD SECRETARY	_____ DATE
_____ BOARD PRESIDENT	_____ DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
199	41	6211	0	750	0	99	950	Legal Services	76,000	7,000	83,000
199	41	6219	0	750	0	99	950	Fees and Dues	4,000	38,289	42,289
199	41	6411	0	701	0	99	950	Travel	26,000	10,115	36,115
199	41	6411	0	750	0	99	950	Travel	14,000	14,239	28,239
199	41	6419	0	702	0	99	950	Travel	29,300	22,587	51,887

TOTAL EXPENDITURES

149,300	92,230	241,530

REVENUES

TOTAL REVENUES

0	0	0

NET CHANGE TO FUND BALANCE

+INCREASE/(DECREASE)

-92,230

EXPLANATION:

Amends the budget to reflect additional travel costs
Amends the budget to reflect increased legal fees and dues

Processed by: _____
Date: _____

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ORIGINATOR

DATE

SUPERVISOR/PRINCIPAL
Anne Haecher

DIRECTOR OF ACCOUNTING

DATE
8-26-24

DATE

SUPERINTENDENT

DATE

BOARD SECRETARY

DATE

BOARD PRESIDENT

DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
199	11	6129	0	1	0	23	0	Para Professional Salaries	104,135	(49,816)	54,319
199	11	6129	0	103	0	25	0	Para Professional Salaries	22,300	(22,300)	0
199	11	6129	0	105	0	11	0	Para Professional Salaries	100,405	(27,974)	72,431
199	11	6129	0	105	0	25	0	Para Professional Salaries	57,476	(45,204)	12,272
199	11	6119	0	1	0	11	0	Professional Salaries	3,676,288	(126,607)	3,549,681
199	11	6119	0	41	0	11	0	Professional Salaries	3,046,693	(106,012)	2,940,681
199	12	6119	0	1	0	99		Professional Salaries	65,040	(33,338)	31,702
199	31	6119	0	999	0	23	0	Professional Salaries	195,800	29,139	224,939
199	31	6129	0	1	0	99	0	Para Professional Salaries	66,729	51,560	118,289
199	31	6129	0	41	0	99	0	Para Professional Salaries	0	27,901	27,901
199	36	6118	0	1	0	91		Professional Salaries	278,007	64,595	342,602
199	51	6129	0	999	0	99		Professional Salaries	1,452,910	206,012	1,658,922
199	52	6119	0	999	0	99		Professional Salaries	29,100	32,044	61,144

TOTAL EXPENDITURES

0	9,094,883	0	9,094,883

REVENUES

TOTAL REVENUES

0	0	0

NET CHANGE TO FUND BALANCE

0

+INCREASE/(DECREASE)

EXPLANATION:

Amends the budget to reflect the reclassification of payroll budgeted expenditures based on projected actual costs

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DATE

SUPERVISOR/PRINCIPAL
Anne Halbur

DIRECTOR OF ACCOUNTING

DATE
8-26-24

DATE

SUPERINTENDENT

DATE

BOARD SECRETARY

DATE

BOARD PRESIDENT

DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
199	21	6411	43	999	0	99	990	Travel	5,000	16,607	21,607
199	21	6499	43	999	0	99	990	Curriculum and Instruction Fees	700	8,125	8,825
TOTAL EXPENDITURES									5,700	24,732	30,432

REVENUES											
TOTAL REVENUES									0	0	0
NET CHANGE TO FUND BALANCE									-24,732		
+INCREASE/(DECREASE)											

EXPLANATION:

Amends the budget to to pay for travel and additional CI fees

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SUPERVISOR/PRINCIPAL	DATE
<i>Anne Haehn</i>	8-26-24
DIRECTOR OF ACCOUNTING	DATE
SUPERINTENDENT	DATE
BOARD SECRETARY	DATE
BOARD PRESIDENT	DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											

199	11	6144	0	1	0	11	555	TRS on behalf	0	22,616	22,616
199	11	6144	0	41	0	11	555	TRS on behalf	0	22,616	22,616
199	11	6144	0	101	0	11	555	TRS on behalf	0	22,616	22,616
199	11	6144	0	103	0	11	555	TRS on behalf	0	22,616	22,616
199	11	6144	0	105	0	11	555	TRS on behalf	0	22,616	22,616
199	12	6144	0	999	0	99	555	TRS on behalf	0	2,616	2,616
199	13	6144	0	999	0	99	555	TRS on behalf	0	4,176	4,176
199	21	6144	0	999	0	99	555	TRS on behalf	0	3,823	3,823
199	23	6144	0	999	0	99	555	TRS on behalf	0	11,011	11,011
199	31	6144	0	999	0	99	555	TRS on behalf	0	7,056	7,056
199	32	6144	0	999	0	99	555	TRS on behalf	0	0	0
199	33	6144	0	999	0	99	555	TRS on behalf	0	1,856	1,856
199	34	6144	0	999	0	99	555	TRS on behalf	0	6,676	6,676
199	36	6144	0	999	0	99	555	TRS on behalf	0	5,189	5,189
199	41	6144	0	999	0	99	555	TRS on behalf	0	6,639	6,639
199	51	6144	0	999	0	99	555	TRS on behalf	0	10,072	10,072
199	52	6144	0	999	0	99	555	TRS on behalf	0	290	290
199	53	6144	0	999	0	99	555	TRS on behalf	0	2,890	2,890

TOTAL EXPENDITURES	0	175,373	175,373

REVENUES

199	0	5831	0	0	0	0	556	TRS on behalf	0	175,373	175,373

TOTAL REVENUES	0	175,373	175,373

NET CHANGE TO FUND BALANCE	0
+ INCREASE/(DECREASE)	

EXPLANATION:

To record Medicare part D on-behalf expenditures

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DIRECTOR OF ACCOUNTING	DATE
SUPERINTENDENT	DATE
BOARD SECRETARY	DATE
BOARD PRESIDENT	DATE

Number: _____

Org.: _____

EXPENDITURES

(USE WHOLE DOLLAR AMOUNTS ONLY.)

TOTAL EXPENDITURES

8145

+INCREASE / (DECREASE)

To write off food service balance deemed uncollectible

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DATE _____

DIRECTOR OF ACCOUNTING

DATE _____

SUPERINTENDENT

DATE _____

BOARD SECRETARY

DATE _____

BOARD PRESIDENT

DATE _____

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
240	35	6649	0	41	0	99	0	Serving Line MS	0	286,277	286,277

TOTAL EXPENDITURES

0	286,277	286,277

REVENUES

TOTAL REVENUES

0	0	0

NET CHANGE TO FUND BALANCE

+INCREASE/(DECREASE)

-286,277

EXPLANATION:

Amends the budget to pay for the MS Serving Line

Processed by _____ Date: _____

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 ORIGINATOR

 DATE

 SUPERVISOR/PRINCIPAL
Anne Haehn
 DIRECTOR OF ACCOUNTING

 DATE
 8-26-24
 DATE

 SUPERINTENDENT

 DATE

 BOARD SECRETARY

 DATE

 BOARD PRESIDENT

 DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
240	35	6395	0	1	0	99	0	Food Supplies	191,334	78,127	269,461
240	35	6395	0	41	0	99	0	Food Supplies	199,301	81,380	280,681
240	35	6395	0	101	0	99	0	Food Supplies	154,840	63,225	218,065
240	35	6395	0	103	0	99	0	Food Supplies	115,758	47,267	163,025
240	35	6395	0	105	0	99	0	Food Supplies	102,983	42,051	145,034

TOTAL EXPENDITURES

764,216	312,050	1,076,266

REVENUES

240	0	5751	0	1	0	0	0	Local Food Service Revenue	0	48,635	48,635
240	0	5751		41	0	0	0	Local Food Service Revenue	0	38,765	38,765
240	0	5951		1	0	0	0	NSLP Breakfast	51,269	16,521	67,790
240	0	5921		41	0	0	0	NSLP Breakfast	63,198	8,965	72,163
240	0	5951		101	0	0	0	NSLP Breakfast	45,495	3,540	49,035
240	0	5951		103	0	0	0	NSLP Breakfast	0	50,658	50,658
240	0	5951		105	0	0	0	NSLP Breakfast	0	46,854	46,854

TOTAL REVENUES

159,962	213,938	373,900

NET CHANGE TO FUND BALANCE

+INCREASE/(DECREASE)

-98,112

EXPLANATION:

Amends the budget to reflect addiional food service revenue and food supplies

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DATE

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Anne Haeber

DIRECTOR OF ACCOUNTING

DATE
8-26-24

DATE

SUPERINTENDENT

DATE

BOARD SECRETARY

DATE

BOARD PRESIDENT

DATE

FUND	FUNC	OBJECT	SUB OBJ	ORG	YEAR	PROG CODE	LOC CODE	DESCRIPTION	CURRENT BUDGET	INCREASE/ (DECREASE)	PROPOSED BUDGET
EXPENDITURES											
(USE WHOLE DOLLAR AMOUNTS ONLY.)											
599	71	6599	0	999	0	99	0	Bond Fees	7,500	3,500	11,000

TOTAL EXPENDITURES

7,500	3,500	11,000

REVENUES

TOTAL REVENUES

0	0	0

NET CHANGE TO FUND BALANCE

+ INCREASE / (DECREASE)

-3,500

EXPLANATION:

Amends the budget to pay for bond processing fees

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 ORIGINATOR

 DATE

 SUPERVISOR/PRINCIPAL
Anne Haebler
 DIRECTOR OF ACCOUNTING

 DATE
8-24-26

 SUPERINTENDENT

 DATE

 BOARD SECRETARY

 DATE

 BOARD PRESIDENT

 DATE

Lake Dallas ISD Police Department Policy & Procedure Manual

Presenter: Chadd Springer, Chief Administrator of Safety & Security

Event: LDISD Board of Trustees Meeting

Date: August 26, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



Policy Creation



STUDENT SUCCESS



PARENT & FAMILY/
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EFFICIENT OPERATIONS



Policy Chapters

- Chapter 1: Law Enforcement Role & Authority
- Chapter 2: Organization & Administration
- Chapter 3: General Operations
- Chapter 4: Patrol Operations
- Chapter 5: Traffic Operations
- Chapter 6: Investigations Operations
- Chapter 7: Equipment
- Chapter 8: Support Services
- Chapter 9: Custody
- Chapter 10: Personnel



STUDENT SUCCESS



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EFFICIENT OPERATIONS



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STUDENT SUCCESS



**PARENT & FAMILY/
COMMUNITY SUPPORT**



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ENGAGEMENT**



EFFICIENT OPERATIONS





STUDENT SUCCESS



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EFFICIENT OPERATIONS

Any Questions?



LAKE DALLAS

Independent School District



STUDENT SUCCESS



PARENT & FAMILY/
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ENGAGEMENT



EFFICIENT OPERATIONS



Lake Dallas ISD Police Department

General Orders

CHIEF'S STATEMENT

As the Chief of Police for the Lake Dallas ISD Police Department, I am honored to lead a dedicated team of professionals committed to ensuring the safety and security of our school community. Our mission is to create and maintain a secure learning environment where students, staff, and visitors can thrive.

The role of a school district police department extends beyond traditional law enforcement. We are integral to the fabric of our educational community, working collaboratively with educators, parents, and local agencies to foster an atmosphere of trust, respect, and mutual support. Our approach is rooted in the belief that safety and education go hand in hand, and that every student deserves the opportunity to learn and grow in a protected environment.

Our officers are trained to handle a wide range of situations with professionalism, empathy, and integrity. We prioritize proactive measures to prevent issues before they arise, and we are committed to transparent communication with our community. Our core values guide every decision we make, ensuring that we serve with honor and dedication.

I am proud of the work we do each day to support our schools, and I am grateful for the ongoing collaboration with our partners in education and public safety. Together, we can ensure that our schools remain places of safety, learning, and growth.

Thank you for your continued trust and support.

Chadd Springer

Chief of Police

Lake Dallas ISD Police Department

General Orders

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 abuse 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 to 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 both in 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 or favor, malice or ill will, never employing unnecessary force or abuse 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 police 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.

Lake Dallas ISD Police Department

General Orders

MISSION STATEMENT

The mission of the Lake Dallas ISD Police Department is to provide a safe and secure learning environment for all students, staff, and visitors. We are committed to fostering a supportive and collaborative atmosphere where education and personal growth can flourish. Our dedicated officers work proactively with the community to prevent crime, ensure safety, and build trust through transparency, respect, and professional excellence.

Lake Dallas ISD Police Department

General Orders

CORE VALUES

1. Integrity

We conduct ourselves with the highest ethical standards, ensuring honesty and fairness in all our interactions and decisions.

2. Respect

We treat all individuals with dignity, valuing diverse perspectives and fostering an inclusive environment.

3. Collaboration

We work in partnership with students, staff, families, and the community to promote safety and well-being.

4. Professionalism

We are committed to excellence in our duties, maintaining competence, accountability, and continuous improvement.

5. Empathy

We approach each situation with understanding and compassion, supporting the emotional and psychological well-being of our school community.

6. Service

We dedicate ourselves to serving the needs of our school district, prioritizing the safety and security of our students and staff.

7. Transparency

We strive for open communication and accountability in our actions to build trust within the community.

8. Courage

We face challenges with bravery and determination, ensuring the protection of our school community.

Lake Dallas ISD Police Department
General Orders

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Lake Dallas ISD Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS

Sworn members of this department shall be considered peace officers pursuant to Tex. Code of Crim. Pro. art. 2.12, Tex. Occ. Code § 1701.001 et seq. and Chapter 37.081 of the Texas Education Code. The authority of any such peace officer extends to any place in the State of Texas and assigns the duty to every peace officer to preserve the peace within the State of Texas and his/her jurisdiction through all lawful means. A peace officer shall perform the duties as required under the Tex. Code of Crim. Pro. art. 2.13.

Special or limited peace officer powers or authority to arrest may be granted to others as specified in Tex. Code of Crim. Pro. art. 2.121 through Tex. Code of Crim. Pro. art. 2.125.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE LAKE DALLAS ISD POLICE DEPARTMENT

The jurisdiction of the Lake Dallas ISD Police Department is established by the Board of Trustees in accordance to Tex. Edu. Code §37.081. The arrest authority within the jurisdiction of the Lake Dallas ISD Police Department includes:

- (a) In compliance with an arrest warrant.
- (b) Without a warrant for any offense committed in an officer's presence or within his/her view (Tex. Code of Crim. Pro. art. 14.01).
- (c) Without a warrant when ordered by a magistrate to make an arrest for a felony or breach-of-the-peace offense observed by the magistrate (Tex. Code of Crim. Pro. art. 14.02).
- (d) Without a warrant when the officer (Tex. Code of Crim. Pro. art. 14.03):
 - 1. Finds a person in a suspicious place and under circumstances that reasonably show that the person has committed a felony, a breach of the peace, an offense under Tex. Penal Code § 49.02 (public intoxication), or an offense under Tex. Penal Code Chapter 42 (disorderly conduct and related offenses), or is threatening to commit or about to commit some offense.

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2. Has probable cause to believe that a person has committed an assault resulting in bodily injury to another and that further injury may occur if an arrest is not made.
 3. Has probable cause to believe that a person has committed an offense under Tex. Penal Code § 25.07 (violation of certain court orders or conditions of bond in a family violence, sexual assault or abuse, indecent assault, stalking or trafficking case), regardless of whether the offense occurs within the presence of the officer.
 4. Has probable cause to believe that a person has committed an offense involving family violence.
 5. Has probable cause to believe that a person has prevented or interfered with another individual's ability to place an emergency call, even if the offense is committed outside the presence of the officer.
 6. Is told by a person something that would be admissible against the person and establishes probable cause to believe that the person has committed a felony.
- (e) Without a warrant when the officer is provided information, by a credible person, that a felony has been committed and that the offender is about to escape (Tex. Code of Crim. Pro. art. 14.04).
- (f) Without a warrant when the officer has reasonable grounds to believe that a person is in possession of stolen property (Tex. Code of Crim. Pro. art. 18.16).
- (g) Without a warrant when the officer observes a person committing a traffic offense under Subtitle C, Texas Transportation Code (Rules of the Road offenses) (Tex. Transp. Code § 543.001).

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE LAKE DALLAS ISD POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Lake Dallas ISD Police Department includes:

- (a) Without a warrant for any offense committed within the presence or view of the officer except traffic offenses. Officers may make a warrantless arrest for a traffic offense under Subtitle C, Title 7, Texas Transportation Code if the offense is committed in the same county or counties where the Lake Dallas ISD Police Department is located (Tex. Code of Crim. Pro. art. 14.03).
- (b) When in fresh pursuit of a person who committed an offense within the officer's jurisdiction.

An officer making an arrest under this subsection shall, as soon as practicable after making the arrest, notify the agency having jurisdiction where the arrest was made (Tex. Code of Crim. Pro. art. 14.03).

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100.4 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Texas Constitutions.

Chief of Police

101.1 PURPOSE AND SCOPE

All law enforcement Police Chiefs employed within the State of Texas are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief of Police of the Lake Dallas ISD Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

101.3 CHIEF OF POLICE REQUIREMENTS

Any Chief of Police of this department shall, as a condition of continued employment, complete the course of training prescribed by the Texas Commission on Law Enforcement (TCOLE) and be licensed by TCOLE within the time frame prescribed by Tex. Educ. Code § 96.641 (Tex. Occ. Code § 1701.358). In addition, at the time of appointment, the chief executive officer must have a minimum of 5 years' experience as a law enforcement officer and be eligible for an intermediate TCOLE certificate or its equivalent as determined by TCOLE (Tex. Local Gov't Code § 143.013).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions (Tex. Const. art. XVI, § 1).

The form of the oath should be as follows:

"I, (state name), do solemnly swear or affirm that I will faithfully execute the duties of (state position) of the State of Texas and the Lake Dallas ISD, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of Texas, so help me God."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Tex. Const. art. XVI, § 1).

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Lake Dallas ISD Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

All employees of the Lake Dallas ISD Police Department are employees of the Lake Dallas ISD and as such, shall comply with applicable written Lake Dallas ISD [Board of Trustees' guidelines](#) and Lake Dallas ISD Police Department policies as well as with the guidelines and procedures set forth by the Superintendent, except where a guidelines or procedure is superseded by state law. To the extent a conflict exists between the Lake Dallas ISD [Board of Trustees' guidelines](#) and Lake Dallas ISD Police Department policies, guidelines and administrative procedures, the Lake Dallas ISD Board of Trustees' guidelines shall prevail.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

The Chief of Police, under the direction of the Superintendent, has the responsibility to adopt and publish policies for the assistance and guidance of the Lake Dallas ISD Police Department. Changes to the written policies must be approved by the Chief of Police. Day to day operations and matters not directly addressed within these policies will be at the discretion of the Superintendent or Chief of Police and may be addressed verbally or by memorandum.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Lake Dallas ISD Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the District, its officials or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training or discipline. The Lake Dallas ISD Police Department reserves the right to revise any policy content, in whole or in part.

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103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Generally, for the purposes of criminal charges (Penal Code), an adult is someone 17 and older. Otherwise, someone is not considered an adult until 18 years old.

District - The District of Lake Dallas ISD.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/LDISD PD - The Lake Dallas ISD Police Department.

DADS - The Texas Department of Aging and Disability Services.

DFPS - The Texas Department of Family and Protective Services.

DPS - The Texas Department of Public Safety.

Employee - Any person employed by the Department.

Manual - The Lake Dallas ISD Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Lake Dallas ISD Police Department, including sworn peace officers.

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

Officer - Those employees, regardless of rank, who are sworn peace officer employees of the Lake Dallas ISD Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

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Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

TCIC - Texas Crime Information Center.

TCOLE - The Texas Commission on Law Enforcement.

TDEM - Texas Division of Emergency Management.

THP - Texas Highway Patrol.

TLETS - Texas Law Enforcement Telecommunications System.

TXDOT - The Texas Department of Transportation.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

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Each supervisor will ensure that members under his/her command are aware of any Policy Manual revision.

All supervisor members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Sergeants, who will consider the recommendations and forward them to the command staff as appropriate.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The Lake Dallas ISD Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 DIVISIONS

The Chief of Police is responsible for administering and managing the Lake Dallas ISD Police Department. There are three divisions in the Department:

- Administration Division
- Operations Division

200.3.1 ADMINISTRATION DIVISION

The Administration Division is commanded by an assigned Police Chief, whose primary responsibility is to provide general management, direction and control for the Administration Division. The Administration Division consists of technical and administrative services.

200.3.2 OPERATIONS DIVISION

The Operations Division is commanded by an assigned Police Chief, whose primary responsibility is to provide general management, direction and control for the Operations Division. The Operations Division consists of uniformed patrol and special operations, which includes the Operations, Central Communications and police aides/assistants.

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the Lake Dallas ISD Police Department. During planned absences, the Chief of Police will designate a Sergeant to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Operations Sergeant
- (b) Senior Officer

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200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, Bicycle Patrol), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.5 AUTHORITY AND RESPONSIBILITIES

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

General Orders

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

201.2 POLICY

General Orders will be used to modify policies of the Lake Dallas ISD Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable collective bargaining agreements or memorandum of understanding and other alternatives should be considered before a General Order is issued.

201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Sergeant or the authorized designee should ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 COMMAND STAFF

Command staff shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual and, as appropriate, will recommend necessary modifications to the Chief of Police.

201.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue General Orders.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Lake Dallas ISD Police Department and responsibilities of its members pertaining to large-scale emergencies and the Texas Division of Emergency Management (TDEM).

202.2 POLICY

The Lake Dallas ISD Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The District Emergency Operations Plan complies with the Texas Division of Emergency Management Plan. This plan provides guidance for District emergency operations within and outside its borders as may be required (Tex. Gov't Code § 418.001 et seq.).

202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Lake Dallas ISD Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the Emergency Operations Plan in response to a major emergency.

Upon activation of the plan, the Chief of Police or the authorized designee should contact the Texas Division of Emergency Management to assist with mutual aid response from local, state and federal law enforcement agencies.

202.3.1 RECALL OF PERSONNEL

If the Emergency Operations Plan is activated, all employees of the Lake Dallas ISD Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in the Police Chief's office. All officers should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Sergeant should ensure that department members are familiar with the roles they will play when the plan is implemented.

202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan annually and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions (Tex. Gov't Code § 418.106; Tex. Gov't Code § 418.1152).

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202.6 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All officers should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

The Police Chief shall ensure that appropriate personnel have completed the Texas Division of Emergency Management approved training (Tex. Gov't Code § 418.005).

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local agencies and the Texas Commission on Law Enforcement Officer Standards and Education (TCOLE) training requirements. It is a priority of this department to provide continuing education and training for officer safety, the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with TCOLE rules and regulations concerning law enforcement training.

203.4 POLICE CHIEF

The Chief of Police shall designate an officer who is responsible for developing, reviewing, updating and maintaining the department training plan so that required training is completed. The Police Chief should review the training plan annually.

203.5 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

203.5.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all-inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training.
- (b) State-mandated training:

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1. Members of this department shall successfully complete TCOLE approved basic law enforcement training and successfully pass the licensing examination before being issued a peace officer's license (37 Tex. Admin. Code § 217.1).
 - (a) The basic law enforcement training requirement may be waived if the member is eligible for licensure by meeting the training and licensure standards within the parameters set by TCOLE.
2. Members of this department shall complete the required hours of TCOLE approved continuing education training applicable for their position with the department (Tex. Occ. Code § 1701.351; Tex. Occ. Code § 1701.352; 37 Tex. Admin Code § 218.3).
3. Members serving as school resource officers shall attend training specific to that position (Tex. Occ. Code § 1701.263; Tex. Educ. Code § 37.0812).

203.5.2 PROFICIENCY CERTIFICATE

The Lake Dallas ISD Police Department will provide all members with training necessary to obtain applicable proficiency certificates (Tex. Occ. Code § 1701.402; 37 Tex. Admin. Code § 221.1).

203.5.3 TEXAS COMMISSION ON LAW ENFORCEMENT APPROVED TRAINING

The Police Chief shall coordinate efforts and associated training advisory board requirements when the Chief of Police has directed the Police Chief to seek approval as a training provider from the Texas Commission on Law Enforcement (TCOLE) (37 Tex. Admin. Code § 215.1 et seq.; Tex. Occ. Code § 1701.252).

The Police Chief will meet the training coordinator duties specified in 37 Tex. Admin. Code § 215.9.

203.6 TRAINING COMMITTEE

The Police Chief may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Police Chief may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene on a regular basis, as determined by the Police Chief, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Police Chief. The

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recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Police Chief will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the available resources. Training recommendations as determined by the Police Chief shall be submitted to the command staff for review.

203.7 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 - 1. Document his/her absence in a memorandum to his/her supervisor.
 - 2. Make arrangements through his/her supervisor or the Police Chief to attend the required training on an alternate date.

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the Lake Dallas ISD Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Police Chief.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Police Chief. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the

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DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.9 TRAINING RECORDS

The Police Chief is responsible for the creation, filing and storage of all training records in compliance with TCOLE standards using the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) for sworn member records (37 Tex. Admin. Code § 218.5).

Training records shall be retained in accordance with the established records retention schedule.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

204.2 POLICY

Lake Dallas ISD Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., Texas Public Information Act).

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Texas Public Information Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Lake Dallas ISD Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

205.3 PERSONNEL ORDERS

Personnel Orders may be issued periodically by the Chief of Police or the authorized designee to announce and document all promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status.

205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature and electronic communications disclaimer language.

205.5 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee.

205.6 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Lake Dallas ISD Police Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) and/or Texas law (18 USC § 926C; Tex. Gov't Code § 411.199; Tex. Occ. Code § 1701.357).

206.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to provide identification cards to qualified former or retired officers to facilitate the lawful carrying of concealed weapons by those individuals.

206.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearms qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

206.3.1 LEOSA CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Lake Dallas ISD Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active-duty standards for qualification to carry a firearm.

206.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

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agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by Texas law or by a private person or entity on his/her property if such prohibition is permitted by Texas law.

206.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy.

206.4.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

206.4.2 RESPONSIBILITIES UNDER TEXAS LAW

A retiree with a Texas identification card shall:

- (a) Surrender his/her identification to this department on or before its expiration date (Tex. Gov't Code § 614.124; Tex. Gov't Code § 614.1241).
- (b) Notify the Department if the identification card is lost or stolen and submit an affidavit stating the card was lost or stolen if he/she is requesting a replacement (Tex. Gov't Code § 614.127).

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- (c) If carrying a handgun under authority of a LTC, present the LTC and a driver's license or state identification whenever a law enforcement officer demands identification (Tex. Gov't Code § 411.205).

206.5 TEXAS STATE IDENTIFICATION CARD

The Chief of Police or the Chief of Police's designee is responsible for issuing identification cards to qualified retirees as follows:

- (a) To qualifying honorably retired officers under Tex. Gov't Code § 614.121 who (Tex. Gov't Code § 614.124):
 - 1. Did not retire in lieu of any disciplinary action.
 - 2. Are eligible to retire in this state or are ineligible to retire only as a result of an injury received in the course of employment.
 - 3. Are entitled to receive a pension or annuity for service or are not entitled to receive a pension or annuity only because those were not offered.
 - 4. Possess a weapons proficiency certification under Tex. Occ. Code § 1701.357.
- (b) To qualifying retired law enforcement officers under 18 USC § 926C who (Tex. Gov't Code § 614.1241):
 - 1. Were last employed by the Lake Dallas ISD Police Department or retired after 20 years of service with the Lake Dallas ISD Police Department and are currently receiving retirement or pension benefits as a result of that service.
 - 2. Possess a weapons proficiency certificate under Tex. Occ. Code § 1701.357.

206.5.1 TEXAS STATE IDENTIFICATION FORMAT

The identification card issued to qualifying retirees shall contain the following (Tex. Gov't Code § 614.124; Tex. Gov't Code § 614.1241; Tex. Gov't Code § 614.125):

- (a) The full name of the retired officer
- (b) A photograph of the officer
- (c) The name of the Lake Dallas ISD Police Department upon the card
- (d) If applicable, the signature of the person authorizing the issuance of the card on behalf of the Lake Dallas ISD Police Department
- (e) A brief description of the officer, including height, weight and eye color
- (f) The thumbprint of the officer
- (g) The date the officer last served as a law enforcement officer for the Lake Dallas ISD Police Department
- (h) The date of issuance
- (i) A phone number operational 24 hours a day, seven days a week that a person may call to verify the validity of the identification card
- (j) The words "State of Texas" and the state seal

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- (k) A statement as follows: "This identification card certifies that (insert the name of the officer) is an honorably retired peace officer of the Lake Dallas ISD Police Department." If the identification card is issued under the authority of Tex. Gov't Code § 614.1241, the statement shall read: "This identification card certifies that (insert the name of the officer) is a qualified retired law enforcement officer of the Lake Dallas ISD Police Department."
- (l) An expiration date not later than one year after the date of issuance

206.5.2 LICENSE TO CARRY A HANDGUN

The Chief of Police shall issue a sworn statement to any retiree officer from this department who requests such a statement for the purpose of applying to the Texas Department of Public Safety for a LTC. The sworn statement must include (Tex. Gov't Code § 411.199):

- (a) The name and rank of the officer.
- (b) The status of the officer.
- (c) Whether the officer was accused of misconduct at the time of his/her retirement.
- (d) A description of the physical and mental condition of the applicant.
- (e) The type of weapons the officer had demonstrated proficiency with during the last year of employment or service.
- (f) If the officer is retired, whether the officer would be eligible for reemployment with the agency and, if not, the reasons the officer is not eligible.
- (g) A recommendation regarding the issuance of a handgun license.
- (h) Whether the applicant holds a current certificate of proficiency under Tex. Occ. Code § 1701.357.

206.5.3 AUTHORIZATION

Qualified former officers with a Texas handgun license issued by the Texas Department of Public Safety or otherwise authorized under state law may carry any handgun within this state. The card does not itself authorize a retiree to carry a concealed firearm outside this state. The former officer must also meet state and LEOSA requirements.

206.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

206.7 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification.

The Rangemaster will maintain a record of the qualifications and weapons used (Tex. Occ. Code § 1701.357).

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Lake Dallas ISD Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

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300.2.1 DUTY TO INTERVENE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances shall report these observations to a supervisor as soon as feasible (Tex. Code of Crim. Pro. art. 2.1387).

300.2.2 ADDITIONAL STATE REQUIREMENTS FOR INTERVENING AND REPORTING

Force may be clearly beyond that which is objectively reasonable under the circumstances if it falls into one of the categories of Tex. Code of Crim. Pro. art. 2.1387 (e.g., when an officer has a reasonable belief that another law enforcement officer is violating state or federal law).

Under these circumstances, the report shall be in writing and delivered to the witnessing officer's supervisor as soon as practicable.

300.2.3 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving. Information discovered after the fact will not be considered when assessing the reasonableness of the use of force.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

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While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

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

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers may use reasonable force to effect an arrest, search, prevent escape or overcome resistance. If it is not reasonably apparent to the person to be arrested, or it is not reasonably impracticable to do so, officers should make clear their intent to arrest or search, and identify themselves as peace officers, before using force (Tex. Penal Code § 9.51).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.

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- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.5 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following (Tex. Code of Crim. Pro. art. 2.34):

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether the individual was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.

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- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.6 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold (Tex. Code of Crim. Pro. art. 2.34).

300.3.7 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Lake Dallas ISD Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk (Tex. Penal Code § 9.51):

- (a) An officer may use deadly force to protect themselves or others from what the officer reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

However, an officer should not use deadly force against a person whose actions are a threat solely to themselves or property.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

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300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and involve considerations and risks in addition to the justification for the use of deadly force.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATIONS TO SUPERVISORS

Notification shall be made to the Chief of Police as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical

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distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.

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3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 SUPERVISOR RESPONSIBILITY

The Chief of Police will make notification to the appropriate school administration. The Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

The involved officer's supervisors and 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 department policies were clearly understandable and effective enough to cover the situation.
- (c) If department training was adequate.
- (d) If department equipment operated properly.

300.8 TRAINING

Officers shall receive annual training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.

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300.8.1 TRAINING REQUIREMENTS

Required annual training shall include:

- (a) Legal updates.
- (b) De-escalation tactics, including alternatives to force.
- (c) The duty to intervene.
- (d) The duty to request and/or render medical aid.
- (e) Warning shots (see the Firearms Policy).

All other subjects covered in this policy (e.g., use of deadly force, chokeholds and carotid holds, discharge of a firearm at or from a moving vehicle, verbal warnings).

300.9 USE OF FORCE ANALYSIS

At least annually, the Operations Sergeant should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Lake Dallas ISD Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

301.2 POLICY

The Lake Dallas ISD Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief of Police or authorized designee may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Chief of Police will convene the Use of Force Review Board as necessary. It will be the responsibility of the supervisor of the involved member to notify the Chief of Police of any incidents requiring board review. The involved member's supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD

The Chief of Police should staff the Use of Force Review Board with five individuals from the following:

- Representatives of the Lake Dallas ISD
- A peer officer/department member
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used, if available

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Use of Force Review Boards

The Chief of Police will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved member to appear. The involved member will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the involved member, no more than two designated board members may ask questions of the involved member. Other board members may provide questions to the designated board members.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

Any questioning of the involved member conducted by the board will be in accordance with Lake Dallas ISD Police Department disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement or memorandum of understanding and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and determine whether any additional training for the involved officer, additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the involved member's Sergeant for review and appropriate action.

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If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The Lake Dallas ISD Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Lake Dallas ISD Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

The arrested person will not be restrained in a manner that impairs respiration. Other than initially securing the arrested person, the arrested person shall not be left in a face-down prone position. If other restraints are unavailable, the arrested person may be handcuffed in front using a belt or strap to secure the cuffs to the arrested person's body.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be

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used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others (Tex. Local Gov't. Code § 361.082).

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 10 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

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Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

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302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

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302.9 TRAINING

Subject to available resources, the Police Chief should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

Control Devices

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Lake Dallas ISD Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only those members who have successfully completed department-approved training on this policy and the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a person who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

Department weapons shall not be modified or altered without written approval of the Chief of Police. Any modification or alteration shall be in accordance with the manufacturer's recommendation.

303.4 RESPONSIBILITIES

303.4.1 SUPERVISOR RESPONSIBILITIES

The Supervisor may authorize the use of a control device by selected department members who may not currently be issued or carrying the control device or those in specialized assignments who have successfully completed the required training.

303.4.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

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303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage. Officers shall inspect weapons at the beginning of each duty assignment to ensure that the weapons are in proper working order.

303.5 SOK GUIDELINES

SOK spray is considered a use of force and shall be employed in a manner consistent with this agency's use-of-force guidelines. Whenever practical and reasonable, officers should issue a verbal warning prior to using SOK spray against a suspect.

As with other control devices, SOK spray may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in, violent behavior. SOK spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

Once a suspect is incapacitated or restrained, use of SOK spray is no longer justified. All suspects shall be handcuffed as soon as possible after being sprayed.

Accidental discharges as well as intentional uses of SOK spray against an individual in an enforcement capacity shall be reported to the officer's immediate supervisor as soon as possible.

303.5.1 SOK SPRAY

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 SOK spray while on duty. Uniformed members carrying SOK spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field members may carry SOK spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

303.5.3 REPLACEMENT OF SOK SPRAY

All SOK spray devices shall be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable, or empty devices are the responsibility of officers to whom they are issued. Replacements of SOK spray canisters shall occur when the canister is less than half full, which can be determined by weighing the canister. SOK canisters shall be inspected and weighed at the firing range during firearms qualification. A record of the results of this inspection and weighing shall be maintained by the appropriate agency authority. Unexplained depletion of SOK from any canister issued to an officer shall require an investigation and written report by the officer's supervisor to the Chief of Police.

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303.5.2 TREATMENT FOR SOK EXPOSURE

Persons who have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody. Persons who have been sprayed with or otherwise affected by the use of SOK should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

303.6 POST-APPLICATION NOTICE

Whenever SOK spray has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

303.7 BOLA WRAP

This policy provides guidelines for the issuance and use of BolaWrap 100 (henceforth referred to as "BolaWrap") devices in order to minimize injury to suspects, subjects, and officers. The BolaWrap device is intended to immobilize and control resistive/non-compliant persons and persons with known or suspected mental health issues.

303.7.1 DEFINITIONS

- (a) BOLAWRAP is a hand-held, remote restraint device that discharges an eight-foot Kevlar cord to entangle an individual at a range of 10-25 feet. The BolaWrap is equipped with entangling barbs at each end of the Kevlar cord.
- (b) PASSIVE NON-COMPLIANCE – A subject does not respond to verbal commands but also offers no physical form of resistance.
- (c) ACTIVE RESISTANCE – A subject uses physically evasive movements to defeat an officer's attempt at control, including: bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.
- (d) ASSAULTIVE – A subject who is aggressive or combative; attempting to assault the officer or another person, verbally or physically displays an intention to assault the officer or another person.

303.7.2 GENERAL

- (a) Only a Department-approved BolaWrap device that has been issued by the Department shall be utilized by personnel trained in its deployment and use.
- (b) A BolaWrap device is not a substitute for deadly force; officers should employ a cover officer when using the device.
- (c) All BolaWrap devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

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- (d) Uniformed officers who have been issued the BolaWrap device shall wear the device in an approved holster on their person. If the BolaWrap is worn, officers may elect to remove OC spray from their duty rigs but will have it available for use.
- (e) BolaWrap devices should not be used on handcuffed persons unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.
- (f) Officers shall be responsible for ensuring their issued BolaWrap device is properly maintained and in good working order by conducting daily function checks.
- (g) Officers should not hold both a firearm and the BolaWrap device at the same time.
- (h) Any deployment of the BolaWrap should comply with the use of force guidelines outlined in this manual and the penal code.
- (i) The BolaWrap is not intended to be a transportation restraint device and shall not be used as a substitute for a hobble. Once the subject has been detained in handcuffs or equivalent restraints, the cord should be cut with an approved device and removed in accordance with 307.8 of this order.

303.7.3 DEPLOYMENT CONSIDERATIONS

The BolaWrap device has limitations and restrictions requiring consideration before its use. The device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other follow-on options.

The use of the BolaWrap device on the individuals listed below should generally be avoided, unless an officer reasonably believes under the totality of the circumstances that other options would be ineffective or would present a greater danger to the officer, the subject, or others:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).
- (d) Individuals near any body of water that may present a drowning risk.
- (e) Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- (f) Individuals detained in a police vehicle.
- (g) Individuals who are handcuffed or otherwise restrained.

303.7.4 PRE-DEPLOYMENT RESPONSIBILITIES

A verbal warning of "Bola, Bola, Bola" should precede a BolaWrap device application, unless it would otherwise endanger the safety of officers or when it is otherwise not practicable due to the totality of the circumstances. The purpose of the warning is to provide the individual with a reasonable opportunity to voluntarily comply and provide other officers and individuals with a

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warning that the BolaWrap device may be deployed. The fact that a verbal or other warning was given, or the reasons it was not given, shall be documented by the officer deploying the BolaWrap device in the related report.

303.7.5 APPLICATION OF THE BOLAWRAP DEVICE

- (a) The BolaWrap device may be used in any of the following circumstances: when the totality of circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:
 - 1. The subject is assaultive, actively resisting, or passively non-compliant,
 - 2. The subject has demonstrated, by words or actions, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.
- (b) Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the BolaWrap device to apprehend an individual.
- (c) Simultaneous applications of the BolaWrap on a single individual by multiple devices is allowed in authorized target areas.

303.7.6 TACTICAL USE

- (a) Targeting considerations. Reasonable efforts should be made to target lower extremities or lower arms. The head, neck, chest and groin shall be avoided. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the BolaWrap device to a precise target area, officers should monitor the condition of the subject if it strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.
- (b) The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.
- (c) The deploying officer should assemble a sufficient number of officers to assist with taking the suspect into custody, with a plan in place for using restraints—such as handcuffs—prior to using the BolaWrap.
- (d) Multiple applications of the BolaWrap device:
 - 1. Multiple officers may use the BolaWrap device simultaneously on a subject, referred to in training as a "double wrap." The intent of the "double wrap" is to immobilize a subject and ensure effective application of the device. In this instance, the preferred application would be to apply BolaWrap "high" and "low" or to the legs and lower arms.
 - 2. If the first application of the BolaWrap device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the device, including:
 - (a) Whether the Kevlar cord and/or anchor's hooks are making proper contact.
 - (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.

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- (c) Whether verbal commands, other options or tactics may be more effective.
- (d) Under exigent circumstances, nothing in this policy prohibits an officer from deploying the BolaWrap at a subject without requesting or having the presence of additional officers; this is not an ideal application of the device.

303.7.7 ACTIONS FOLLOWING DEPLOYMENTS

- (a) Personnel shall request a supervisor to the scene after deployment.
- (b) Officers shall ensure all restrained subjects receive appropriate emergency medical care for individuals under police care or control.
- (c) Only medical personnel may remove hooks that are embedded in a subject's skin.
- (d) If the hooks penetrate only a subject's clothing, then the officer may remove the hooks.
- (e) The supervisor or officer may cut the Kevlar cord with medical shears or a hook style seatbelt cutter.
- (f) The Kevlar cord shall be cut prior to any transportation.
- (g) In the event the BOLAWRAP deployment of device barbs cause injury to the subject, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

303.7.8 REPORTING THE USE OF THE BOLAWRAP

- (a) The deployment of the BolaWrap is considered a non-categorical use of force.
- (b) Officers shall complete the applicable report for the incident. The report shall include the cartridge serial number, reason for the application of force, as well as the description of injuries sustained or claimed.
- (c) When booking an arrested subject, officers shall notify the appropriate jail staff of any sustained injury and the type of force used.

303.7.9 SUPERVISOR RESPONSIBILITIES

- (a) The supervisor shall read and approve all applicable reports connected to a BolaWrap deployment. Following that review, the supervisor shall determine whether further documentation of the incident is necessary, in accordance with department policy.
- (b) When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the BolaWrap device may be used.
- (c) A supervisor shall respond to all incidents where the BolaWrap device was activated.

303.8 TRAINING FOR CONTROL DEVICES

The Police Chief shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Officers will receive training and demonstrate proficiency (qualify) at least once every two years on all less lethal weapons systems.

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- (a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.

The Chief of Police and 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

303.9 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The Rangemaster should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

304.3.1 SECURITY OF WEAPONS

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

304.3.2 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

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CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

304.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

304.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

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304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

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Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports and the CED report forms. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device, other than for testing purposes, will also be documented on the report form.

304.6.1 USE OF FORCE REPORT FORM

Items that shall be included in the report form are:

- (a) The reasons for initial use and all subsequent cycles.
 - 1. The includes actual and threatened use of a CED by an officer.
- (b) The type and brand of CED and cartridge and cartridge serial number.
- (c) Date, time and location of the incident.
- (d) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (e) The number of CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (f) The range at which the CED was used.
- (g) The type of mode used (probe deployment or drive-stun).
- (h) Location of any probe impact.

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- (i) Location of contact in drive-stun mode.
- (j) Description of where missed probes went.
- (k) Whether medical care was provided to the subject.
- (l) Whether the subject sustained any injuries.
- (m) Whether any officers sustained any injuries.

The Police Chief should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Police Chief should also conduct audits of CED device data downloaded to an approved location and reconcile CED report forms with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the public.

304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

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Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Rangemaster and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

304.9 OUTSIDE INVESTIGATION

The Chief of Police may request an outside investigation by the sheriff's department or Department of Public Safety when any of the following factors are involved:

- (a) A subject experiences death or serious injury
- (b) A person experiences prolonged CED activation
- (c) The CED appears to have been used in a punitive or abusive manner
- (d) There appears to be a substantial deviation from training
- (e) A person in a high-risk population category has been subjected to activation (see list above)
- (f) Any other activation as determined by a supervisor

304.10 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Police Chief. All training and proficiency for CEDs will be documented in the officer's training files.

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Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Police Chief is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Police Chief should include the following training:

- (a) A review of this policy
- (b) A review of the Use of Force Policy
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin
- (e) Scenario-based training, including virtual reality training when available
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options
- (g) De-escalation techniques
- (h) Restraint techniques that do not impair respiration following the application of the CED
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety
- (j) Proper tactics and techniques related to multiple applications of CEDs

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

The policy of the Lake Dallas ISD Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Lake Dallas ISD Police Department would control the investigation if the suspect's crime occurred in Lake Dallas ISD.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

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305.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved LDISD PD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved LDISD PD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any LDISD PD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

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scene, identity of known or potential witnesses and any other pertinent information.

2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Supervisor and Central Communications. If feasible, sensitive information should be communicated over secure networks.
 - (d) Take command of and secure the incident scene with additional LDISD PD members until properly relieved by another supervisor or other assigned personnel or investigator.
 - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. Each involved LDISD PD officer should be given an administrative order not to discuss the incident with other involved officers or LDISD PD members pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

305.5.3 SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Sergeant.

All outside inquiries about the incident shall be directed to the Supervisor.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Lake Dallas ISD Superintendent
- Office-Involved Shooting rollout team
- Outside agency investigators including the Texas Rangers (if appropriate)
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.

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1. Involved LDISD PD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
2. Requests from involved non-LDISD PD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with employee groups/agency representatives will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved LDISD PD officer. A licensed psychotherapist may also be provided to any other affected LDISD PD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and an emergency response team member or a peer support member are addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved LDISD PD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Supervisor to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) LDISD PD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of LDISD PD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's

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statement, he/she shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 REPORTS BY INVOLVED LDISD PD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved LDISD PD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved LDISD PD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved LDISD PD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or

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probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Investigation Division supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the District Attorney's Office and the Texas Rangers and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Investigation Division supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Sergeant.

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved LDISD PD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

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1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Garrity rights* and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings to whether there was compliance with the Use of Force Policy.
 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

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Any MAV, body-worn video, and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or District Attorney's Office, as appropriate.

305.9 DEBRIEFING

Following an officer-involved shooting or death, the Lake Dallas ISD Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

305.9.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to the criminal and/or administrative investigators.

305.10 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and the department representative responsible for each phase of the investigation. Releases will be available to the Chief of Police and Public Information Officer in the event of inquiries from the media.

No involved LDISD PD officer shall make any comment to the media.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.11 REPORTING

If the death of an individual occurs in the Lake Dallas ISD Police Department jurisdiction and qualifies to be reported to the state as an in-custody death, or when an officer discharges a firearm causing injury or death to another person, the Operations Sergeant will ensure that the Police Chief is provided with enough information to meet the reporting requirements of Tex. Code of Crim. Pro. art. 49.18 and Tex. Code of Crim. Pro. art. 2.139, as applicable.

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Lake Dallas ISD Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.2.1 CARRYING OF FIREARMS

Except for senior staff or 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.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Sergeant. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

An officer will only carry weapons and ammunition approved by the department, a list of approved weapons and ammunition is maintained by the Chief of Police.

306.3.2 PATROL RIFLES

Members of the Lake Dallas ISD Police Department will be issued department approved rifles for on-duty use.

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Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack or in a weapons safe.

306.3.3 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

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- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

306.3.4 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badges and Lake Dallas ISD Police Department identification cards under circumstances requiring possession of such identification.

306.3.5 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

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306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry

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fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so.

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Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Tex. Penal Code § 46.13).

306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members will qualify at least annually with their duty firearms (Tex. Occ. Code § 1701.355). Members will qualify with off-duty and secondary firearms at least once a year. Training and qualifications must be on an approved range course that meets the requirements of 37 Tex. Admin. Code § 218.9 and the member must score an 80 percent or higher.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

In the event that the above requirements present a hardship, the Department may request in writing that the Texas Commission on Law Enforcement (TCOLE) waive an officer's annual demonstration of weapons proficiency requirement (Tex. Occ. Code § 1701.355(b); 37 Tex. Admin. Code § 218.9).

Each firearms instructor shall meet the proficiency requirements in 37 Tex. Admin. Code § 221.19.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for:
 - 1. Unauthorized range make-up.
 - 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

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306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Chief of Police or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device, oleoresin capicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS

Generally, shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective, and reasonably safe.

Warning shots should not be used.

306.8 RANGEMASTER DUTIES

The Chief of Police will designate a firearms proficiency officer, known as the Rangemaster, who will be responsible for maintaining department records of firearms proficiency for each officer (37 Tex. Admin. Code § 218.9).

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The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Police Chief after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation (37 Tex. Admin. Code § 218.9).

The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry (37 Tex. Admin. Code § 218.9).

The Rangemaster shall complete and submit to the Police Chief documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Police Chief.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Lake Dallas ISD Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Lake Dallas ISD Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If

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approved, TSA will send the Lake Dallas ISD Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Lake Dallas ISD Police Department identification card whenever carrying such firearm.
- (b) The officer may not be the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

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Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

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307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law unless exempt under Tex. Transp. Code § 546.004 (Tex. Transp. Code § 546.003).

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Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (Tex. Transp. Code § 546.001; Tex. Transp. Code § 546.005):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect has committed a violent felony, has been given an appropriate signal to stop by a law enforcement officer, and is attempting to evade arrest or detention by fleeing in a vehicle.

Pursuits will not be initiated for traffic offenses, misdemeanors, or property offenses.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and communications operator/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.

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- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Officers shall not pursue when accompanied by civilian passengers.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards posed to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.
- (i) A person has been injured during the pursuit and no medical or department personnel are able to provide help.

The pursuing officer(s) shall end the pursuit if at any time during the course of the pursuit the officer loses sight of the fleeing vehicle for more than a few seconds.

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307.4 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

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.

307.4.1 MOTORCYCLES

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the communications operator, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.

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- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the communications operator of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

When two vehicles are involved in a 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.

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307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) Officers shall not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Request assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
 - 3. Request other officers to observe exits available to the suspect.
- (d) Notify the Texas Department of Public Safety or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

Officers involved in a pursuit shall not try to overtake or pass the suspect's vehicle.

307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road

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hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a non-emergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the communications operator of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Supervisor is notified of the pursuit, as soon as practicable.

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- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Lake Dallas ISD Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.6.1 SUPERVISOR RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Supervisor shall review all pertinent reports for content and forward them to the Sergeant.

307.7 CENTRAL COMMUNICATIONS

If the pursuit is confined within the District limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications operator. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the communications operator is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.
- (h) Querying MVD, TCIC, and NCIC for license data and any warrant information.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

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307.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Pursuits beyond the jurisdiction of the Lake Dallas ISD Police Department require approval of the on-duty supervisor.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Lake Dallas ISD Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. Officers shall turn off emergency equipment and follow the pursuit while observing all posted speed limits and traffic control devices. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Lake Dallas ISD Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.

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- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Supervisor should review a request for assistance from another agency. The Supervisor or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the District limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

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.

307.9.3 LOCAL JUDICIAL OFFICER

A fleeing suspect when arrested shall be taken before a judicial officer of the jurisdiction in which the suspect 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.

307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 USE OF FIREARMS

Officers shall not fire their weapons from a moving vehicle.

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307.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

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 of the road or into an obstacle.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
 - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
 - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
 - 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
 - 4. The suspect vehicle is stopped or traveling at a low speed.
 - 5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is prohibited.
- (c) Boxing-in shall be performed only:
 - 1. At low speeds
 - 2. With the direct authorization of the on-duty supervisor, and
 - 3. By officers trained in the tactic
 - 4. If carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.
 - (a) Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (d) Tire deflation devices are prohibited.
- (e) Stationary and rolling roadblocks are prohibited.

307.11 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that

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reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and precede on foot, the officer shall stop, provide the location, and continue efforts to apprehend on foot. Circumstances may dictate, however, 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.

307.12 REPORTING REQUIREMENTS

The on-duty supervisor shall ensure that all participating officers document their involvement in the pursuit whether or not the suspect was stopped. 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.

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
 1. Date and time of the pursuit.
 2. Initial reason and circumstances surrounding the pursuit.
 3. Length of pursuit in distance and time, including the starting and termination points.
 4. Involved vehicles and officers.
 5. Alleged offenses.
 6. Whether a suspect was apprehended, as well as the means and methods used.
 - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 7. Arrestee information, if applicable.

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8. Any injuries and/or medical treatment.
 9. Any property or equipment damage.
 10. Name of supervisor at the scene or who handled the incident.
 11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) 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.
- (e) The pursuit report with supervisory review will be forwarded to the Chief of Police.
1. The Chief of Police will also review the report and determine compliance with policy.
 2. The Chief of Police will inform the supervisor of his findings.
 3. Should a policy violation be identified, the Chief of Police will direct that an investigation be conducted as necessary.
- (f) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

307.13 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

307.14 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

Foot Pursuits

308.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

308.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

308.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.

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- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

308.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the communications operator or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

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- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

308.5 RESPONSIBILITIES IN FOOT PURSUITS

308.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the communications operator of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

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308.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers maximum access to the radio frequency.

308.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

308.5.4 CENTRAL COMMUNICATIONS RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the communications operator is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

308.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.

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1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 - (g) Arrestee information, if applicable.
 - (h) Any injuries and/or medical treatment.
 - (i) Any property or equipment damage.
 - (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Officer Response to Calls

309.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

309.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

309.3 RESPONSE TO CALLS

Calls for service are classified as Code 1 or Code 3.

Code 1 - The operation of an emergency vehicle in normal traffic without using emergency lights and siren. All departmental personnel operating emergency vehicles in this mode will comply with the posted speed limit and obey all traffic control devices and signals.

Code 3 - The operation of an emergency vehicle using the emergency warning devices, as well as activating the emergency vehicle's headlights.

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

309.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (Tex. Transp. Code § 546.003; Tex. Transp. Code § 546.004).

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the communications operator.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

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309.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation
- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the communications operator.

309.5 SAFETY CONSIDERATIONS

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (Tex. Transp. Code § 546.001; Tex. Transp. Code § 546.005):

- Disregard regulations governing parking or standing.
- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.

309.5.1 NUMBER OF OFFICERS ASSIGNED

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

An emergency response involving more than one police vehicle should be coordinated by Central Communications to avoid any unanticipated intersecting of response routes. The communications operator shall notify the Supervisor or field supervisor, who will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

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309.6 EMERGENCY EQUIPMENT

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Supervisor, field supervisor or the communications operator of the equipment failure so that another officer may be assigned to the emergency response.

309.7 OFFICER RESPONSIBILITIES

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the communications operator. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the communications operator of his/her determination. Any subsequent change in the appropriate response level should be communicated to the communications operator by the officer in charge of the scene unless a supervisor assumes this responsibility.

309.8 CENTRAL COMMUNICATIONS

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the communications operator shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers. In all other circumstances, the communications operator shall obtain authorization from the Supervisor or a field supervisor prior to assigning an emergency response.

309.8.1 RESPONSIBILITIES

Upon notification or assignment of an emergency response, the communications operator is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.

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- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).
- (e) Notifying the Supervisor as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Supervisor or field supervisor.

309.9 SUPERVISOR RESPONSIBILITIES

Upon being notified that an emergency response has been initiated or requested, the Supervisor or the field supervisor shall verify that:

- (a) The proper response has been initiated.
- (b) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Supervisor or the field supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.

Canines

310.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating contraband.

310.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to partner with law enforcement agencies that employ canine programs when the need arises.

310.3 REQUESTS FOR CANINE TEAMS

Lake Dallas ISD Police Department members are encouraged to request the use of a canine. Requests for a canine team from an officer shall be reviewed by the Chief of Police or designee. The use of a canine team from an outside law enforcement agency shall be covered by their department policy including the use of, apprehension standards, and alert policies.

Family Violence

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce family violence through vigorous enforcement and to address family violence as a serious crime against society. The policy specifically addresses the commitment of the Lake Dallas ISD Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of family violence.

311.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to family violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Family violence - An act by one of the following individuals against the same that is intended to result in physical harm, bodily injury, assault or sexual assault, or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault or sexual assault, but does not include defensive measures to protect oneself (Tex. Fam. Code § 71.003; Tex. Fam. Code § 71.004; Tex. Fam. Code § 71.005; Tex. Fam. Code § 71.006):

- (a) Persons related by blood or marriage
- (b) Former spouses
- (c) Individuals who have a child in common without regard to marriage
- (d) Foster children and foster parents without regard to whether the individuals reside together
- (e) Persons who reside together in the same dwelling without regard to their relation to one another, including persons who have previously lived together

The term "family violence" also includes dating violence as defined by Tex. Fam. Code § 71.0021 and certain types of abuse, as defined by Tex. Fam. Code § 261.001, by one of the above-mentioned individuals against a child of same (Tex. Fam. Code § 71.004).

311.2 POLICY

The Lake Dallas ISD Police Department's response to incidents of family violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that family violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

311.3 OFFICER SAFETY

The investigation of family violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede

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the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

311.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating family violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing family violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence. Officers shall note the emotional state of the person making the verbal statement.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigation Division in the event that the injuries later become visible.
- (f) The crime scene should be photographed to show any struggle that may have occurred. If photographing the crime scene is not possible, a description of the crime scene should be written.
- (g) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (h) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate. Officers should circulate a be on the lookout message describing the suspect, if necessary.
- (i) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- (j) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

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- (k) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
1. Whether the suspect lives on the premises with the victim.
 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 3. The potential financial or child custody consequences of arrest.
 4. The physical or emotional state of either party.
 5. Use of drugs or alcohol by either party.
 6. Denial that the violence occurred where evidence indicates otherwise.
 7. A request by the victim not to arrest the suspect.
 8. Location of the incident (public/private).
 9. Speculation that the complainant may not follow through with the prosecution.
 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 11. The social status, community status, or professional position of the victim or suspect.
 12. Whether the complainant has not sought or obtained a protective order.
 13. The officer's own preference to reconcile the parties despite the complainant's insistence that an arrest be made.
 14. That the complainant has called for law enforcement protection previously and has not pursued or has withdrawn the criminal complaint against the abuser.
 15. That the complainant has not begun divorce proceedings.
 16. Assurances of either or both disputants that violence will stop.
 17. The lack of visible bruises or injuries.
- (l) Officers should advise the victim of the importance of preserving evidence.

311.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

311.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

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- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.
 - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report, 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:
 - 1. What referral information was given.
 - 2. The name of any counselor contacted.
 - 3. Why no arrest was made, nor any warrant issued.

311.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department family violence information handout developed by the Health and Human Services Commission, even if the incident may not rise to the level of a crime (Tex. Code of Crim. Pro. art. 5.04).
- (b) Victims should also be alerted to any available victim advocates, shelters, and community resources (Tex. Code of Crim. Pro. art. 5.04).
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time (Tex. Code of Crim. Pro. art. 5.045).
 - 1. If the person presents a writ issued by a justice court for entry into the person's residence to retrieve personal property, officers shall accompany and assist the person in making entry into the residence and retrieving items specified in the writ (Tex. Prop. Code § 24A.002; Tex. Prop. Code § 24A.0021; Tex. Prop. Code § 24A.003) (see the Civil Disputes Policy).
- (d) If the victim has sustained injury or complains of pain, officers should seek medical assistance for the victim as soon as practicable.
- (e) Officers should ask the victim whether the victim has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for the victim's safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order.

311.6 DISPATCH ASSISTANCE

All calls of family violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable in accordance with the [accompanying procedure](#).

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Communications Operators are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that communications operators check whether any of the involved persons are subject to the terms of a court order.

311.7 FOREIGN COURT ORDERS

Various types of orders may be issued in family violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

311.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

311.9 STANDARDS FOR ARRESTS

Officers investigating a family violence report should consider the following:

- (a) An arrest is required when an officer has probable cause to believe that a person has violated a court order specified in Tex. Penal Code § 25.07, and the offense has occurred in the presence of the officer (Tex. Penal Code § 25.07).
- (b) An arrest should be made whenever an officer has probable cause to believe that a person has committed any of the following even if the act is committed outside the presence of the officer (Tex. Code of Crim. Pro. art. 14.03):
 - 1. An offense involving family violence even if there is no bodily injury
 - 2. An assault resulting in bodily injury to a member of the person's family or household

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3. Interference with a person's ability to make an emergency telephone call
4. A violation of a court order specified in Tex. Penal Code § 25.07
- (c) The arresting officer should notify a magistrate when an arrest has been made and the offense involved serious bodily injury to the victim or included the use or exhibition of a deadly weapon, so that an emergency protective order may be issued (Tex. Code of Crim. Pro. art. 17.292).
- (d) The arresting officer should evaluate whether a post-bond hold is reasonable and observe the following additional requirements (Tex. Code of Crim. Pro. art. 17.291):
 1. A post-bond hold requires approval from the Supervisor.
 2. A post-bond hold shall not exceed four hours, unless:
 - (a) The Supervisor determines that the hold should exceed four hours, the Supervisor should then notify a magistrate and receive written approval.
- (e) Arrest is the most appropriate response when the below factors are present:
 1. Serious, intense conflict
 2. Use of a weapon
 3. Previous injury or damage
 4. Previous court appearance against the offending party
 5. Previous attempt to sever the relationship
 6. Previous calls for law enforcement help
 7. When a felony has occurred
 8. Evidence of drugs or alcohol use at the assault
 9. Valid warrants on file for other crimes
 10. Aggressive behavior toward any person or pets, or any other threatening behavior

Any decision not to arrest a person, when there is probable cause to do so, must be approved by a supervisor.

Officers shall not threaten to arrest all parties involved for the purpose of discouraging future requests for law enforcement intervention.

311.9.1 NOTIFICATION UPON RELEASE OF ARRESTED PERSON

Before releasing a person arrested or held without a warrant, the releasing member shall make a reasonable attempt to give personal notice to the victim, or the victim's designee, of the offender's imminent release (Tex. Code of Crim. Pro. art. 17.29).

An attempt to contact is considered reasonable if the member attempts contact at the victim's or designee's last known telephone number or address as shown on the records of the Lake Dallas ISD Police Department.

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311.10 ARRESTS OF AGENCY PERSONNEL

If the predominant physical aggressor or abuser is an employee of the Lake Dallas ISD Police Department, the responding officer shall summon the field supervisor, who shall in turn notify the chain of command.

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 department weapon may be evidence of an offense.

The on-call investigator shall be summoned, who shall begin an internal criminal investigation. If probable cause to arrest exists, the investigator shall arrest and gather evidence (including taking photographs) consistent with this general order. The assigned investigator shall work with the responding patrol officer to ensure that:

- (a) The victim receives medical attention if necessary and is transported to a hospital or safe shelter
- (b) All reports are completed, evidence gathered, and photographs taken.

The responding patrol officer shall assist in obtaining an emergency protective order. The investigator shall speedily present the case to the district attorney.

Upon termination of the criminal investigation, the Chief of Police may assign an officer to undertake an internal administrative investigation into the incident.

311.11 REPORTS AND RECORDS

- (a) When an officer investigates an assault, aggravated assault, or terroristic threat, the officer shall complete a report that includes, at a minimum (Tex. Code of Crim. Pro. art. 2.30; Tex. Code of Crim. Pro. art. 5.05):
 - 1. The names of the suspect and complainant.
 - 2. The date, time, and location of the incident.
 - 3. Any visible or reported injuries.
 - 4. A description of the incident and a statement of its disposition.
 - 5. Whether the suspect is a member of the state military forces or is serving in the armed forces of the United States in an active-duty status.
 - 6. The reasons for filing an Emergency Protective Order on a victim's behalf, if one was filed.
- (b) Upon request of the victim of a family violence incident, the following information that is not exempt from disclosure under the Texas Public Information Act shall be released (Tex. Code of Crim. Pro. art. 5.05):
 - 1. The name of the suspect and complainant
 - 2. The date, time, and location of the incident
- (c) An officer who investigates a family violence incident or who responds to a disturbance call that may involve family violence shall make an oral or electronic report to the

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Department of Family and Protective Services within 24 hours if the location of the incident or call, or the known address of a person involved in the incident or call, matches the address of a current licensed foster home or a verified agency foster home, as listed in the Texas Crime Information Center (TCIC) system (Tex. Code of Crim. Pro. art. 5.05).

- (d) If a suspect is identified as being a member of the military, the officer shall ensure a copy of the report is provided to the staff judge advocate at Joint Force Headquarters (Tex. Code of Crim. Pro. art. 5.05).
- (e) The Police Chief will maintain records on the number of family violence-related calls reported to the Department and forward such records to the state as required (Tex. Code of Crim. Pro. art. 5.05).
- (f) To ensure that officers responding to a call are aware of the existence and terms of court orders, the Police Chief shall establish a procedure to provide adequate information or access to the name of persons protected by the orders and those to whom orders are directed (Tex. Code of Crim. Pro. art. 5.05; Tex. Code of Crim. Pro. art. 17.292; Tex. Fam. Code § 86.001; Tex. Fam. Code § 86.005).
- (g) Upon receipt of an original or modified court order, or on receipt of information pertaining to the date of confinement or imprisonment or date of release of a person subject to the protective order, the Police Chief shall immediately, but no later than the next business day following receipt, enter the information into the statewide law enforcement information system (Tex. Code of Crim. Pro. art. 17.292; Tex. Fam. Code § 86.001).

Search and Seizure

312.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Lake Dallas ISD Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

312.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to:

- Valid consent.
- Incident to a lawful arrest.
- Legitimate community caretaking interests.
- Vehicle searches under certain circumstances.
- Exigent circumstances.

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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312.4 SEARCH PROTOCOL

Although conditions will vary, and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

312.5 DOCUMENTATION

Officers are responsible for documenting any search and ensuring that any required reports are sufficient including, at minimum, documentation of:

- Reason for the search.
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).
- What, if any, injuries or damage occurred.
- All steps taken to secure property.
- The results of the search including a description of any property or contraband seized.
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Child Abuse

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Lake Dallas ISD Police Department members are required to notify the Department of Family and Protective Services (DFPS) of suspected child abuse.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 17 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

313.2 POLICY

The Lake Dallas ISD Police Department will investigate all reported incidents of alleged criminal child abuse and ensure that DFPS is notified as required by law.

313.3 MANDATORY NOTIFICATION

Members of the Lake Dallas ISD Police Department shall notify DFPS when they have reasonable cause to believe that a child has been or may be abused or neglected, or an allegation has been made of abuse or neglect involving a person responsible for a child's care, custody, or welfare (Tex. Fam. Code § 261.101; Tex. Fam. Code § 261.103; Tex. Fam. Code § 261.105).

Members of the Lake Dallas ISD Police Department shall also notify DFPS when a child who was taken or retained without the permission of the child's custodian for a period of 48 hours or more is located and it reasonably appears that the child was the victim of abuse or neglect. The child may be placed into protective custody if necessary pursuant to Chapter 262 of the Texas Family Code (Tex. Code of Crim. Pro. art. 63.00905).

In addition, a member shall notify DFPS when the member has reasonable cause to believe that a person was the victim of abuse or neglect as a child, and the member determines in good faith that disclosure of the information is necessary to protect the health or safety of another child (Tex. Fam. Code § 261.101).

For purposes of notification, abuse and neglect includes but is not limited to acts or omissions related to impairment to the child's growth, development, or psychological functioning; physical injury that results in substantial harm to the child; sexual conduct involving the child; child trafficking or prostitution; use of controlled substances by the child or the use of controlled substances by a person that results in physical, mental, or emotional injury to a child; and any other act or omission as provided by Tex. Fam. Code § 261.001.

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313.3.1 NOTIFICATION PROCEDURE

Notification shall occur immediately by phone or by using the online reporting website provided by DFPS and contain the following, if known (Tex. Fam. Code § 261.104; Tex. Fam. Code § 261.105):

- (a) The name and address of the child and any person responsible for the care, custody, or welfare of the child, if known.
- (b) The facts that caused the member to believe the child has been abused or neglected and the source of the information.
- (c) The member's name, rank, badge number, and the Lake Dallas ISD Police Department's name, address, and telephone number.
- (d) Any other pertinent information concerning the alleged abuse or neglect.

313.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

313.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom the child made the statements.
- (d) If a child was taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

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- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

An officer who receives a report of abuse or neglect orally shall make an audio recording of the report and notify the person making the report that the person is being recorded and that making a false report is a felony offense (Tex. Fam. Code § 261.104).

The investigation of an allegation that a child has been or may be the victim of criminal conduct that poses an immediate risk of death or serious harm from either physical or sexual abuse shall be conducted jointly by the investigating officer and DFPS (Tex. Fam. Code § 261.301).

The investigatory steps, as set forth in the existing memorandum of understanding (MOU) with a child advocacy center, should be followed when the terms apply to an allegation of child abuse or neglect (Tex. Fam. Code § 264.405).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

313.5.1 REPORTS BY PHYSICIANS

When a physician or physician's agent notifies an officer that a child has claimed he/she has been physically or sexually abused, or the physician has reason to believe such abuse has occurred, the officer shall (Tex. Fam. Code § 33.008):

- (a) Respond and write a report within 24 hours of being notified of the alleged abuse.
 - 1. The report is required even if the officer has knowledge that a report about the abuse may have previously been made.
- (b) If warranted, refer the case to the prosecuting attorney.

313.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DFPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified

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parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to DFPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations:

- (a) When a court order has been issued authorizing removal.
- (b) If there is no time to obtain a court order before taking possession of a child and there is an immediate need to protect the health and safety of that child, an officer may take possession of a child without a court order. Emergency custody may also be taken under the following conditions (Tex. Fam. Code § 262.104):
 - 1. On personal knowledge of facts that lead an officer to believe that the child has been the victim of sexual abuse or trafficking, or that the parent or person who has possession of the child has permitted the child to remain on premises used for the manufacture of methamphetamine.
 - 2. On information furnished by another that has been corroborated by personal knowledge of the facts all of which, taken together, lead an officer to believe that the child has been the victim of sexual abuse or trafficking, or that the parent or person who has possession of the child is currently using a controlled substance or has permitted the child to remain on premises used for the manufacture of methamphetamine.
- (c) Without a court order on the voluntary delivery of the child by the parent, managing conservator, possessory conservator, guardian, caretaker or custodian who is presently entitled to possession of the child (Tex. Fam. Code § 262.004).
- (d) When, during a criminal investigation relating to a child's custody, an officer discovers that the child is a missing child and believes that a person may flee with or conceal the child (Tex. Fam. Code § 262.007).

313.6.1 RELEASE OF CERTAIN CHILDREN TAKEN WITHOUT A COURT ORDER

Officers who take a child into protective custody without a court order pursuant to Tex. Fam. Code § 262.104 may release the child to an approved governmental entity, including DFPS, or to a person authorized by law to take possession of the child (Tex. Code of Crim. Pro. art. 2.273).

Prior to releasing a child taken into protective custody to a non-governmental entity, officers shall (Tex. Code of Crim. Pro. art. 2.273):

- (a) Verify that the person to whom the child is to be released is at least 18 years old.
- (b) Verify through NCIC that the child is not a missing child.
- (c) Search NCIC databases for relevant information about the person to whom the child is being released, such as whether he/she is the subject of a protective order or a registered sex offender who is not permitted to take possession of the child.

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- (d) Contact the DFPS Abuse Hotline to determine whether the person is in the DFPS registry as someone who abused or neglected a child.

Officers shall document the placement of the child in an appropriate report. The report should include the name and address of the person to whom the child is released and identifying information about the child.

313.6.2 SAFE HAVEN LAW

Members presented with an infant by a parent seeking to voluntarily surrender the child should immediately notify DFPS. Members should also notify appropriate emergency medical services personnel if it reasonably appears that the infant requires medical attention.

Any report to this department from DFPS of a surrendered child shall be investigated to determine whether the child is reported as missing (Tex. Fam. Code § 262.305).

313.7 INTERVIEWS

313.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

313.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

313.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

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In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

313.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

313.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including DFPS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

313.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigation Division supervisor so an interagency response can begin.

313.10 STATE MANDATES AND OTHER RELEVANT LAWS

Texas requires or permits the following:

313.10.1 CHILD SAFETY CHECK ALERT LIST

The Texas Department of Public Safety maintains a Child Safety Check Alert List as part of the Texas Crime Information Center (TCIC) to help locate a family for purposes of investigating a report of child abuse or neglect, or providing protective services to families (Tex. Fam. Code § 261.3022).

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An officer who encounters either a person or a child on the alert list shall (Tex. Code of Crim. Pro. art. 2.272; Tex. Fam. Code § 261.3023):

- (a) Immediately contact DFPS using the dedicated law enforcement telephone number and request information regarding the case involving the child or other person.
- (b) Request information from the person and the child regarding the child's well-being and current residence.

The officer should investigate whether it is appropriate to take possession of the child without a court order and in accordance with the laws specified in Tex. Fam. Code § 262.104.

If the officer does not take possession of the child, the officer shall obtain the child's current address and any other relevant information to be forwarded to DFPS (Tex. Code of Crim. Pro. art. 2.272).

The officer should inform a supervisor as soon as practicable when a child on the TCIC Child Safety Check Alert List is located. The circumstances shall be documented in an appropriate report. The officer shall ensure that TCIC is updated to reflect that the child has been located, to whom the child was released, as applicable, and the case number related to the incident (Tex. Code of Crim. Pro. art. 2.272; Tex. Fam. Code § 261.3024).

313.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Tex. Fam. Code § 261.201).

313.10.3 MEMORANDUM OF UNDERSTANDING FOR CHILDREN'S ADVOCACY CENTER

The Investigation Division Supervisor should ensure that a current copy of the MOU with a children's advocacy center regarding child abuse or neglect investigations is available to all department members (Tex. Fam. Code § 264.405).

313.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

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The Administration Manager should ensure that members receive training on the Child Safety Check Alert List (Tex. Occ. Code § 1701.402).

Adult Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Lake Dallas ISD Police Department members as required by law.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

314.2 POLICY

The Lake Dallas ISD Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Lake Dallas ISD Police Department shall notify Adult Protective Services (APS) when there is cause to believe that an elderly person or person with a disability has been abused. In addition, members shall notify the Texas Department of Health or Texas Health and Human Services Commission, as appropriate, if allegations relate to the abuse of an elderly person or person with a disability in a care facility or under the care of a facility, regardless of whether a crime report is taken (Tex. Hum. Res. Code § 48.051; 25 Tex. Admin. Code § 1.205).

For purposes of such notification (Tex. Hum. Res. Code § 48.002):

- (a) "Abuse" includes the negligent or willful infliction of injury to, unreasonable confinement of, cruel punishment of, or the sexual abuse of an elderly person or a person with a disability, or the exploitation or neglect of such a person as provided in Tex. Hum. Res. Code § 48.002.
- (b) "Elderly person" means someone who is age 65 or older.
- (c) "Person with a disability" means someone age 18 or older who has a mental, physical, intellectual, or developmental disability that substantially impairs the person's ability to provide adequately for the person's own care or protection.

314.3.1 NOTIFICATION PROCEDURE

Notification should occur immediately and may be made orally or in writing. The report shall include (Tex. Hum. Res. Code § 48.051):

- (a) The basis of the member's knowledge of the alleged abuse.
- (b) The name, age and address of the adult victim.
- (c) The name and address of the person responsible for the adult victim's care.

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- (d) The nature and extent of the adult victim's condition and injuries.

314.3.2 ADDITIONAL NOTIFICATION

In addition, a member shall notify APS within 48 hours when the member has reasonable cause to believe that a person was the victim of abuse or neglect as a child, and the disclosure of that information is necessary to protect the health or safety of an elderly person or person with a disability (Tex. Fam. Code § 261.101).

314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

314.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

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- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Any information that indicates a victim or critical witness may suffer from a health condition that may warrant an expedited investigation/prosecution or the preservation of testimony under Tex. Code of Crim. Pro. art. 39.025.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

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314.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) The adult cannot adequately provide for his/her own care or protection and exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. The supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Division supervisor that he/she has responded to a drug lab or other narcotics crime

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scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.

- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigation Division supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Texas requires or permits the following:

314.10.1 ADMINISTRATION RESPONSIBILITIES

The Administration is responsible for:

- (a) Providing a copy of the adult abuse report to the APS as required by law (Tex. Hum. Res. Code § 48.154).
- (b) Retaining the original adult abuse report with the initial case file.

314.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Tex. Hum. Res. Code § 48.101).

314.11 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

315.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

315.2 POLICY

The Lake Dallas ISD Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

315.3 DEFINITIONS

Definitions related to this policy include:

315.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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315.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

315.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

315.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Texas Workforce Commission, Civil Rights Division guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with district or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

315.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who believes, in good faith, that he/she has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy. The member or supervisor shall immediately submit a memorandum to the Chief of Police through the chain of command detailing circumstances. Members may also report incidents of harassment directly to the Chief of Police, or Director of Human Resources if the offender is a higher-ranking member of the Department.

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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.

Every employee 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.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

315.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Director of Human Resources, or the Superintendent for further information, direction, or clarification.

315.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.
 - 1. 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.
- (g) Ensuring 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.
 - 1. Materials of this kind used for investigative purposes shall be properly secured according to evidentiary standards.

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2. The material in question may be sexual in nature or insulting to a person based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.
- (h) Ordering members who are making sexually hostile comments or degrading or demeaning remarks about other persons to cease doing so or face discipline.

315.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

315.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

If the complainant is not a member of the Department, the complaint itself is considered no less valid and shall be investigated according to the procedures set forth in this policy. Members must understand that sexual harassment can become a criminal matter. Allegations of stalking, assault, and sexual assault shall be handled immediately as criminal investigations.

If the sexual harassment allegation is not resolved to the satisfaction of the complainant, eligible employees may invoke the department grievance procedure.

315.5.1 SEPARATION OF PARTIES

The Chief of Police shall immediately act to limit the involved member from any further work contact with the alleged offender.

If a situation requires separation of the parties, care should be taken to avoid action that punishes or appears to punish the complainant. 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.

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315.5.2 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

315.5.3 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted. The Chief of Police shall conduct an investigation pursuant to the provisions of this policy. The Chief of Police shall report such allegations to the Director of Human Resources without delay.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Director of Human Resources, or the Superintendent.

315.5.4 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

315.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police, the Superintendent, or the Director of Human Resources, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

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315.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

315.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Missing Persons

316.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

316.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk missing - Includes persons who are (Tex. Code of Crim. Pro. art. 63.051):

- (a) Missing as a result of an abduction by a stranger.
- (b) Missing under suspicious or unknown circumstances, such as when the person:
 - 1. Is 13 years of age or younger
 - 2. Regardless of age, is believed or determined to be experiencing one or more of the following circumstances:
 - (a) Out of the zone of safety for the person's chronological age and development stage
 - (b) Mentally or behaviorally disabled
 - (c) Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
 - (d) Absent from home for more than 24 hours before being reported to law enforcement as missing
 - (e) In a life-threatening situation
 - (f) In the company of others who could endanger the person's welfare
 - (g) Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
 - (h) Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk
- (c) Missing more than 30 days, or less than 30 days at the discretion of the Department, if there is reason to believe that the person is in danger or deceased.
- (d) Reported missing on four or more occasions in a 24-month period (Tex. Code of Crim. Pro. art. 63.0091).
- (e) In foster care or in the conservatorship of the Department of Family and Protective Services (DFPS) and reported missing on two or more occasions in a 24-month period (Tex. Code of Crim. Pro. art. 63.0091).
- (f) At a high risk of human trafficking, sexual assault, exploitation, abuse, or neglectful supervision (Tex. Code of Crim. Pro. art. 63.0091).

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Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person 18 years of age or older whose disappearance is possibly not voluntary (Tex. Code of Crim. Pro. art. 63.001).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs), the Texas Crime Information Center (TCIC), and the Texas Department of Public Safety's (DPS) Missing Children and Missing Persons Information Clearinghouse.

316.2 POLICY

The Lake Dallas ISD Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation Division supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

316.4 ACCEPTANCE OF REPORTS

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

316.4.1 COMMUNICATIONS RESPONSIBILITIES

The Central Communications shall notify the Chief of Police immediately of any missing persons call. Because of the complexity of some missing person cases, especially those that may require

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the immediate mobilization of investigative resources, call takers should verify that a supervisor has been notified whenever officers respond to such an assignment.

316.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be considered high-risk missing.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either high-risk missing or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast "Be on the Look-Out (BOLO) bulletin", if the person is under 16 years of age or there is evidence that the missing person is considered high-risk missing. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be a high-risk missing.
- (e) Ensure that entries are made into the appropriate missing person networks:
 - 1. Immediately, when the missing person is a high-risk missing person (Tex Code of Crim. Pro. art. 63.00905).
 - 2. In cases involving attempted child abductions, immediately but not later than eight hours after receiving the report as provided in Tex. Code of Crim. Pro. art. 63.0041.
 - 3. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308; Tex. Code of Crim. Pro. art. 63.009).
- (f) If a missing child has been reported missing four or more times in the previous 24 months, is in foster care or the conservatorship of DFPS and has been reported missing two or more times in the previous 24 months, or is at high risk of human trafficking, sexual assault, exploitation, abuse, or neglect (Tex. Code of Crim. Pro. art. 63.0091):
 - 1. Indicate in the NCIC entry that the child is at a high risk of harm and include information relevant to the increased risk.
 - 2. Notify all law enforcement agencies within 100 miles (including out-of-state agencies) of the circumstances and high-risk designation of the missing child immediately, but no later than two hours after receiving the report.
- (g) Complete the appropriate report forms accurately and completely and initiate a search as applicable according to the facts.
- (h) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.

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2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (i) Complete a dental and medical record release form (Tex. Code of Crim. Pro. art. 63.006; Tex. Code of Crim. Pro. art. 63.007).
 - (j) When circumstances permit and if appropriate, attempt to determine the missing person's location through the missing person's telecommunications carrier.
 - (k) As soon as practicable, but no later than 48 hours after receiving the report, electronically forward a copy of the report and any other useful information to each municipal or county law enforcement agency within 200 miles (Tex. Code of Crim. Pro. art. 63.009; Tex. Code of Crim. Pro. art. 63.00905).
 - (l) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
 - (m) If a member receives a report that a child was taken or retained without the permission of the child's custodian for a period of 48 hours or more, the member shall immediately make a reasonable effort to locate the child and determine the child's well-being (Tex. Code of Crim. Pro. art. 63.001; Tex. Code of Crim. Pro. art. 63.00905).

316.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

316.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 1. The reports should be promptly sent to the Administration.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.

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- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

316.6.2 ADMINISTRATION RESPONSIBILITIES

The responsibilities of the Administration receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigation Division.
- (e) Processing all written requests that the Department received and searching the DPS Missing Children and Missing Persons Information Clearinghouse for information regarding a child whose whereabouts are unknown. Results of the inquiry shall be reported to the requestor within 14 days (Tex. Code of Crim. Pro. art. 63.011; Tex. Code of Crim. Pro. art. 63.012).
- (f) Coordinating with the NCIC Terminal Contractor for Texas to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

316.7 INVESTIGATION DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that the missing person's school is notified immediately if the missing person is a juvenile under the age of 11 (Tex. Code of Crim. Pro. art. 63.020).
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
 - 3. The investigator shall notify the DPS Missing Children and Missing Persons Information Clearinghouse that school notification has been made.
- (b) Shall ensure that the bureau of vital statistics is notified if the missing person is a child under the age of 11 who was born in Texas (Tex. Code of Crim. Pro. art. 63.020).
- (c) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to

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determine if any additional information has become available (Tex. Code of Crim. Pro. art. 63.009; Tex. Code of Crim. Pro. art. 63.00905).

- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update the DPS Missing Children and Missing Persons Information Clearinghouse, the TCIC, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
 - 1. If the missing person is considered high risk, the investigator shall inform the reporting person, within 30 days of the report being filed, that a biological sample or a personal article can be submitted for analysis if not previously obtained during the investigation (Tex. Code of Crim. Pro. art. 63.057).
 - (a) Upon verification that the person is still a high-risk missing person, the investigator shall submit the biological sample, as soon as practicable, to the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database (Tex. Code of Crim. Pro. art. 63.060).
- (j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the DPS Missing Children and Missing Persons Information Clearinghouse and enter the photograph into applicable missing person networks (34 USC § 41308).
- (k) Shall forward any medical or dental records received to the DPS Missing Children and Missing Persons Information Clearinghouse (Tex. Code of Crim. Pro. art. 63.006; Tex. Code of Crim. Pro. art. 63.007).
- (l) In the case of a high-risk missing person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

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The Police Chief shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Immediate notification is made to NCIC, TCIC and the DPS Missing Children and Missing Persons Information Clearinghouse (Tex. Code of Crim. Pro. art. 63.009).
- (b) The missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is considered high-risk missing, the fact that the person has been found should be reported within 24 hours to the DPS Missing Children and Missing Persons Information Clearinghouse.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

316.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File, the NamUs database, and the DPS Missing Children and Missing Persons Information Clearinghouse (Tex. Code of Crim. Pro. art. 63.009).
- (c) Use available resources, such as those related to missing persons, to identify the person.

316.8.2 SCHOOL REQUESTS

If a child enrolled in school fails to provide valid documentation, the school will contact law enforcement. On receipt of notification, the Police Chief shall immediately check the DPS Missing Children and Missing Persons Information Clearinghouse to determine if the child has been reported missing. If reported missing, the Police Chief shall immediately notify appropriate law enforcement agencies that the missing child has been located (Tex. Code of Crim. Pro. art. 63.019).

316.9 CASE CLOSURE

The Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Lake Dallas ISD or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

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- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

316.10 TRAINING

Subject to available resources, the Police Chief should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio/Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile, catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., internet use, cell phone use).
- (n) Media relations.

Public Alerts

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

317.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

317.3 RESPONSIBILITIES

317.3.1 MEMBER RESPONSIBILITIES

Members of the Lake Dallas ISD Police Department should notify their supervisors, Supervisor or Investigation Division supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

317.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible for making the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Sergeant and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for:

- (a) Updating alerts.
- (b) Canceling alerts.
- (c) Ensuring all appropriate reports are completed.
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Sergeant.

317.4 AMBER ALERTS™

AMBER Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding abducted children (37 Tex. Admin. Code § 9.21).

317.4.1 CRITERIA

A statewide AMBER Alert can only be activated by the state network if all of the following criteria are met (Tex. Gov't Code § 411.355; Tex. Gov't Code § 411.356):

- (a) There is reason to believe that a child 17 years of age or younger has been abducted. For purposes of this section, abduction includes a child who is younger than 14 years of age; who departed willingly with someone more than three years older than the

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child; who departed without a parent or legal guardian's permission; and the person with whom the child departed is not an immediate relative of the child, as defined by Subchapter B, Chapter 573, Tex. Gov't. Code.

- (b) It is believed that the abducted child is in immediate danger of serious bodily injury or death or of becoming the victim of a sexual assault.
- (c) A preliminary investigation has taken place that verifies the abduction and eliminates alternative explanations for the child's disappearance.
- (d) There is sufficient information available to disseminate to the public that could assist in locating the child, the person suspected of abducting the child or a vehicle that may have been used in the abduction.

A local area alert activation may be requested if the criteria for a statewide alert has not been verified, but the Department knows a child is missing and the Chief of Police believes that activation is warranted (Tex. Gov't Code § 411.3555).

317.4.2 PROCEDURE

The following is the procedure for initiating an AMBER Alert:

- (a) Submit the completed AMBER Alert Request Form to the State Operations Center (SOC). The supervisor may only submit the form after it has been verified that all statutory criteria for activation are clearly established by the specific facts of the case (37 Tex. Admin. Code § 9.22).
- (b) Email photographs of the missing child and suspect, if available, to the SOC.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the Texas Crime Information Center (TCIC) and National Crime Information Center (NCIC) databases.
- (e) Inform the SOC of any updates, including when the child or suspect is located.
- (f) Consider contacting the regional AMBER Alert program, if available.

The activating official should be notified of all relevant updates that may require modification or termination of the AMBER Alert.

317.5 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a local, state, or federal law enforcement officer (37 Tex. Admin. Code § 9.81).

317.5.1 CRITERIA

The following criteria are utilized to determine if a Blue Alert should be issued (Tex. Gov't Code § 411.446; 37 Tex. Admin. Code § 9.82):

- (a) A law enforcement officer has been killed or seriously injured by an offender.
- (b) The offender poses a serious risk or threat to the public or other law enforcement personnel.

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- (c) A detailed description of the offender's vehicle, vehicle tag, or partial tag is available for broadcast to the public.

317.5.2 PROCEDURE

The following is the procedure for initiating a Blue Alert (Tex. Gov't Code § 411.446; Tex. Gov't Code § 411.449; 37 Tex. Admin. Code § 9.82):

- (a) Submit the completed Blue Alert Request Form to the SOC.
- (b) Email photographs of the suspect and the suspect's vehicle, if available, to the SOC.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (e) Inform the SOC of any updates, including when the vehicle or suspect is located.
- (f) Consider contacting the regional Blue Alert program, if available.
- (g) Inform the SOC if there is reason to believe the suspect poses a threat to other law enforcement officers and to the public.

The activating official should be notified of all relevant updates that may require modification or termination of the Blue Alert.

317.6 SILVER ALERTS

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing person who is a senior citizen and has an impaired mental condition, including an individual who has been diagnosed with Alzheimer's disease (37 Tex. Admin. Code § 9.31).

317.6.1 CRITERIA

The following criteria are utilized to determine if a Silver Alert should be issued (Tex. Gov't Code § 411.386; 37 Tex. Admin. Code § 9.32):

- (a) The person reported missing is 65 years of age or older or has Alzheimer's disease.
- (b) The person's location is unknown.
- (c) The person has an impaired mental condition, including Alzheimer's disease, and the family or legal guardian provides documentation of the condition.
- (d) It is determined that the person's disappearance poses a credible threat to his/her health and safety.
- (e) The Silver Alert request is made within 72 hours of the person's disappearance.
- (f) There is sufficient information available to disseminate to the public that could assist in locating the person.

317.6.2 PROCEDURE

The following is the procedure for initiating a Silver Alert:

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- (a) Submit the completed Silver Alert Request Form to the SOC. The supervisor may only submit the form after it has been verified that all statutory criteria for activation are clearly established by the specific facts of the case (37 Tex. Admin. Code § 9.32).
- (b) Include documentation of the person's age and condition of the person with the request for activation (37 Tex. Admin. Code § 9.32; Tex. Gov't Code § 411.386).
- (c) Email photographs of the missing senior citizen, if available, to the SOC.
- (d) Confirm that the form and any sent emails were received by the SOC.
- (e) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (f) Inform the SOC of any updates, including when the missing senior citizen is located.
- (g) Consider contacting the regional Silver Alert program, if available.

The activating official should be notified of all relevant updates that may require modification or termination of the Silver Alert.

317.7 ENDANGERED MISSING PERSONS ALERTS

Endangered Missing Persons Alerts are used to provide a statewide system for the rapid dissemination of information regarding those with intellectual disabilities.

317.7.1 CRITERIA

The following criteria are utilized to determine if an Endangered Missing Persons Alert should be issued (Tex. Gov't Code § 411.355; Tex. Gov't Code § 411.356):

- (a) There is reason to believe that a person with an intellectual disability is missing and the person's location is unknown. For purposes of this section, a person is considered to have an intellectual disability if he/she has been evaluated by a physician or psychologist licensed in this state, as required by Tex. Health and Safety Code § 593.005, and the medical professional has determined that the person suffers from an intellectual disability.
- (b) The activating official shall obtain a written diagnosis documenting the missing person's intellectual disability from the treating licensed physician or psychologist.
- (c) The Endangered Missing Persons Alert request is made within 72 hours of the person's disappearance.
- (d) It is believed that the person's disappearance poses a credible threat to his/her health and safety.
- (e) There is sufficient information available to disseminate to the public that could assist in locating the person.

317.7.2 PROCEDURE

The following is the procedure for initiating an Endangered Missing Persons Alert (37 Tex. Admin. Code § 9.42):

- (a) Submit the Endangered Missing Persons Alert Request Form to the SOC, including documentation of a diagnosed intellectual disability for the missing person.

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- (b) E-mail photographs of the missing person, if available, to the SOC.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (e) Inform the SOC of any updates, including when the missing person is located.

The activating official should be notified of all relevant updates that may require modification or termination of the Missing Persons Alert.

317.8 COORDINATED LAW ENFORCEMENT ADULT RESCUE (CLEAR) ALERTS

Coordinated Law Enforcement Adult Rescue (CLEAR) Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing adult who is younger than age 65 (Tex. Gov't Code § 411.462).

317.8.1 CRITERIA

The following criteria are utilized to determine if a CLEAR Alert should be issued (Tex. Gov't Code § 411.466):

- (a) The person has been reported missing to the Department and a member has verified:
 - 1. The person is between 18 and 64 years of age.
 - 2. The person's location is unknown.
 - 3. The person has been missing for less than 72 hours.
- (b) There is reason to believe that the person is in imminent danger of bodily injury or death or that the person's disappearance is not voluntary.
- (c) There is sufficient information available to disseminate to the public that could assist in locating the person or a vehicle suspected of being related to the disappearance of the person.

317.8.2 PROCEDURE

The following is the procedure for initiating a CLEAR Alert:

- (a) Submit the completed CLEAR Alert Request Form to the SOC.
- (b) Email photographs of the missing person, if available, to the SOC.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (e) Inform the SOC of any updates, including when the missing person is located.

The activating official should be notified of all relevant updates that may require modification or termination of the CLEAR Alert.

317.9 CAMO ALERTS

Camo Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing military member who has elected to participate in the system and who suffers from a mental illness or a traumatic brain injury.

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317.9.1 CRITERIA

The following criteria are utilized to determine if a Camo Alert should be issued (Tex. Gov't Code § 411.4506):

- (a) The person has been reported missing to the Department and a member has verified:
 - 1. The person is a current or former military member and is a participant in the Camo Alert System.
 - 2. The person's location is unknown.
 - 3. The person suffers from a mental illness, including post-traumatic stress disorder (PTSD), or a traumatic brain injury. When practicable, the member receiving the report should request documentation regarding the person's illness or injury.
- (b) There is reason to believe that the person's disappearance poses a credible threat to the person's health and safety, or to the health and safety of another.

317.9.2 PROCEDURE

The following is the procedure for initiating a Camo Alert:

- (a) Submit the completed Camo Alert Request Form to the SOC.
- (b) Email photographs of the missing person, if available, to the SOC.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (e) Inform the SOC of any updates, including when the missing person is located.

The activating official should be notified of all relevant updates that may require modification or termination of the Camo Alert.

317.10 ACTIVE SHOOTER ALERTS

Active Shooter Alerts are used to provide a statewide system for the rapid dissemination of information regarding the report of an active shooter (Tex. Gov't. Code § 411.371).

317.10.1 CRITERIA

The following criteria are utilized to determine if an Active Shooter Alert should be issued (Tex. Gov't. Code § 411.375; Tex. Gov't. Code § 411.376):

- (a) An active shooter is in the department's jurisdiction.
- (b) The alert would assist individuals near the active shooter's location.
- (c) The active shooter situation has been verified through a preliminary investigation.
- (d) The Department is able to provide the active shooter's last known location and any identifiable information available.

317.10.2 PROCEDURE

The following is the procedure for initiating an Active Shooter Alert:

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- (a) Submit the completed request to the SOC. The supervisor may only submit the form after it has been verified that all statutory criteria for activation are clearly established.
- (b) Email photographs of the active shooter to the SOC, if available.
- (c) Confirm that the form and any sent emails were received by the SOC.
- (d) Ensure that appropriate entries are made in the TCIC and NCIC databases.
- (e) Inform the SOC of any updates, including when the active shooter is located.

The activating official should be notified of all relevant updates that may require modification or termination of the Active Shooter Alert.

Victim and Witness Assistance

318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

318.2 POLICY

The Lake Dallas ISD Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Lake Dallas ISD Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

318.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Lake Dallas ISD Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

318.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison shall:

- (a) Be responsible for consulting with the victim assistance coordinator in the office of the attorney representing the state to determine the most effective manner in which the crime victim liaison can perform his/her duties (Tex. Code of Crim. Pro. art. 56A.204).
- (b) Ensure department members afford victims and witnesses the rights described in Tex. Code of Crim. Pro. art. 56A.051.
- (c) Facilitate the return of property to victims (Tex. Code of Crim. Pro. art. 56A.051).
- (d) Upon receipt of a victim's pseudonym form, ensure the following: (Tex. Code of Crim. Pro. art. 58.103; Tex. Code of Crim. Pro. art. 58.153; Tex. Code of Crim. Pro. art. 58.203; Tex. Code of Crim. Pro. art. 58.253):
 - 1. The victim's name is removed and substituted with the pseudonym on all reports, files, and records in the department's possession.
 - 2. The attorney for the state is notified of the victim's election to use a pseudonym.
 - 3. The victim receives a copy of the completed pseudonym form showing that the form was returned to this department.
 - 4. Maintenance of the pseudonym form in a manner that protects the confidentiality of the information on the form.

318.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

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Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

318.4.1 INITIAL CONTACT WITH SEXUAL ASSAULT VICTIMS

Upon initial contact with a sexual assault victim, or as soon thereafter as reasonably possible, officers investigating or responding to a call involving an alleged sexual assault shall provide the victim with the information and written handouts required by Tex. Code Crim. Pro. art. 56A.052.

318.5 VICTIM INFORMATION

The Administration Sergeant shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including family violence and sexual assault victims (Tex. Code of Crim. Pro. art. 56A.401).
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Tex. Code of Crim. Pro. art. 56A.401).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained (Tex. Fam. Code § 82.002; Tex. Code of Crim. Pro. art. 7B.001).
- (e) Information regarding available compensation for qualifying victims of crime (Tex. Code of Crim. Pro. art. 56B.001 et seq.).
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U visa and T visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number, and any applicable case or incident number.
- (j) A place for the contact information of the department Crime Victim Liaison and the victim assistance coordinator for the appropriate prosecutor's office (Tex. Code of Crim. Pro. art. 56A.401).
- (k) The Health and Human Services Commission's written notice for victims of family violence, stalking, harassment, or terroristic threat required by Tex. Code of Crim. Pro. art. 2.1398 and Tex. Code Crim. Pro. art. 5.04.

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- (l) Information that a victim of family violence, sexual assault, stalking, or human trafficking may be eligible to use a pseudonym to designate the victim in all public files and records concerning the offense (Tex. Code of Crim. Pro. art. 58.102; Tex. Code of Crim. Pro. art. 58.152; Tex. Code of Crim. Pro. art. 58.202; Tex. Code of Crim. Pro. art. 58.252).
- (m) Information that a victim of family violence, sexual assault or abuse, stalking, child abduction, or trafficking in persons may be eligible to participate in the Texas Address Confidentiality Program (ACP) administered by the Office of the Attorney General (Tex. Code of Crim. Pro. art. 58.052).
- (n) Reassurance that any property seized as evidence by the Department will be promptly returned when it is no longer needed for evidentiary purposes (Tex. Code of Crim. Pro. art. 56A.051).
- (o) An explanation of the rights available to a victim of sexual assault, abuse, indecent assault, stalking, or trafficking or to the victim's guardian or relative as applicable (Tex. Code of Crim. Pro. art. 56A.052).
- (p) The following statement, "You may call the Lake Dallas ISD Police Department for the status of the case and information about victims' rights" (Tex. Code of Crim. Pro. art. 56A.401).
- (q) The Notice to Adult Victims of Sexual Assault developed after consultation with a local sexual assault program or response team (Tex. Code Crim. Pro. art. 56A.052).

318.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Hate Crimes

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, age, gender identity or expression, or disability of the victim. This includes status as a peace officer or judge (Tex. Code of Crim. Pro. art. 42.014).

319.2 POLICY

The Lake Dallas ISD Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

319.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources to do so.
- (c) Educating community and civic groups about hate crime laws.

319.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

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- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (Temporary Protective Order) through the courts or District Attorney.

319.4.1 HATE CRIME REPORTING

This department shall report hate crimes in the form and manner and at regular intervals as prescribed by rules adopted by the Texas Department of Public Safety (DPS). This shall be conducted by the Police Chief (Tex. Gov't. Code § 411.046).

The Department may request hate crime-related information or statistics from the Texas DPS to carry out investigations or other lawful business (Tex. Gov't. Code § 411.046).

319.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.

Standards of Conduct

320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Lake Dallas ISD Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

320.1.1 DEFINITIONS

Affirmative duty - The personal responsibility and obligation of an employee to report wrongdoing rather than providing such information only when requested.

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.

Good faith - A report that provides allegations concerning an employee who is reasonably believed to have purposely committed a serious violation of departmental Guidelines, procedures, rules, or laws.

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 who cause, or who 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.

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.

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.

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320.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

320.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

An employee who receives an order that the employee believes is unjust or contrary to a departmental policy or rule must first obey the order and then may appeal the order to the Chief of Police via the proper chain-of-command. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal. 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.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

320.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

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- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

Failure of a supervisor to take corrective action regarding employees under the supervisor's supervision who maybe guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of the dereliction.

320.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Texas constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority. Employees shall know the laws and ordinances they are charged with enforcing.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

Officers shall know the location and boundaries of their assigned areas. Officers also shall be familiar with the names and general locations of each school and locations of hospitals and major public buildings.

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.

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.

320.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

320.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in department or District manuals.

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- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Certain rules may not apply in undercover police assignments specifically authorized by supervisors in accordance with this Policy Manual. Officers will be strictly accountable for justifying their actions.

320.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Lake Dallas ISD Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts, or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel, or services.
- (g) Any other failure to abide by the standards of ethical conduct.

320.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

320.5.4 RELATIONSHIPS

- (a) Failure to disclose a personal relationship between a supervisor and subordinate to the Chief of Police at the earliest opportunity.
- (b) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (c) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (d) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

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- (e) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (f) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.
- (g) 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.
- (h) 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.

320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.
- (e) Failure of line officers to remain at their posts or place of assignment until properly relieved by another officer or dismissed by a supervisor.
- (f) Failure to complete a tour of duty as set by established procedures or dismissed by a supervisor.
 - 1. Employees are subject to emergency recall and shall report for duty during emergencies when so notified by a supervisor or the Chief of Police.

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

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- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.
- (f) Maintaining files or duplicate copies of official agency files in either manual or electronic formats at the member's residence or in other locations outside the confines of this agency without express permission.

320.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.
- (g) Reading newspapers, books or magazines while on-duty and in the public view unless a supervisor has assigned such reading.
- (h) Studying during their regularly assigned working hours materials that are notwork related.
- (i) Failing to keep their offices, lockers, and desks neat, clean, and orderly.
- (j) Failing to keep their office, headquarters, or supervisors informed of means by which they can be reached when not immediately available when on-duty or officially on call.

320.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

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- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by District policy, the collective bargaining agreement, memorandum of understanding or contract, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by District policy, the collective bargaining agreement, memorandum of understanding or contract, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.
- (j) Failure to promptly serve the public by providing direction, counsel, and other assistance that does not interfere with the discharge of duties.
- (k) Failure to make every attempt to respond personally to the inquiry or request for assistance.
- (l) Failure to respond to the call of individuals in need of police assistance.
 - (a) The fact that a member may be off-duty shall not relieve the member of the responsibility of taking prompt and proper police action or from being recalled to duty as needed.
 - (b) 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.
 - (c) While off-duty, or in their personal vehicle, officers shall not enforce, or take any police action to enforce Class C traffic offenses.

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- (m) Except where expressly prohibited, failure to take prompt and effective police action conforming to departmental policy with respect to violations of laws and ordinances coming to the attention or of which they have knowledge.
 - (a) Officers shall promptly and punctually perform all official duties.
 - (b) Officers shall render, or cause to be rendered, medical assistance to any injured person.
- (n) Engaging in any activity or personal business that would cause them to neglect their duty while on duty.
- (o) Concealing themselves except for some authorized police purpose while on duty.
 - 1. Employees shall keep themselves immediately and readily available at all times while on- duty.
- (p) Displaying 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.
- (q) Failing to respond without delay to all calls for police service while on duty.
 - (a) Calls shall be answered in compliance with normal safety precautions, traffic laws, and departmental policy.
- (r) Entering, frequenting, remaining in, or visiting 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.
- (s) Engaging 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) Becoming indebted to immediate subordinates.
- (u) Failing to 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.
- (v) Suggesting, recommending, advising, or counseling the retention of a specific attorney or bondsmen to any person (except relatives) coming to their attention as a result of police business.

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.

320.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

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- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the District.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement, memorandum of understanding or contract, including fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Soliciting petitions or influence, or seeking 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.
- (n) Failure to facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
- (o) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

320.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

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- (d) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

320.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Consuming alcoholic beverages while in uniform.
- (c) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (d) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

321.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources including computers, electronic devices, hardware, software and systems.

321.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Lake Dallas ISD Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

321.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with Lake Dallas ISD district policy.

Department Use of Social Media

322.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

322.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

322.2 POLICY

The Lake Dallas ISD Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

322.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

322.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and that conforms to all department policies regarding the release of information may be posted.

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Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

322.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

322.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Lake Dallas ISD Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

322.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

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The Department may provide a method for members of the public to contact department members directly.

322.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

322.7 RETENTION OF RECORDS

The Administration Sergeant should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

322.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Report Preparation

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

323.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

323.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

323.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

323.4.1 ELECTRONIC SIGNATURES

The Lake Dallas ISD Police Department has established an electronic signature procedure for use by all members of the Lake Dallas ISD Police Department. The Operations Sergeant shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for his/her electronic signature and that the use of electronic signatures otherwise complies with the law (Tex. Code of Crim. Pro. art. 2.26).

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

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323.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

323.5.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests.
- (b) All felony crimes.
- (c) Non-felony criminal incidents involving threats or stalking behavior.
- (d) Situations covered by separate policy. These include:
 - 1. Use of Force Policy.
 - 2. Family Violence Policy.
 - 3. Child Abuse Policy.
 - 4. Adult Abuse Policy.
 - 5. Hate Crimes Policy.
 - 6. Suspicious Activity Reporting Policy.
- (e) All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., a dispatch log).

323.5.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).

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- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic collisions above the minimum reporting level.
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

323.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

323.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

323.5.5 DISTRICT PERSONNEL OR PROPERTY

Incidents involving District personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a District employee or on District property.
- (b) There is damage to District property or equipment.

323.6 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

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323.6.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Administration for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports that have not yet been submitted to the Administration may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

Media Relations

324.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

324.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

324.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police or the Director of Communications for Lake Dallas ISD in accordance with district policy.

324.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

324.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department

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without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

324.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
 - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express written consent of the person in custody.
- (d) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

324.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

324.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

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324.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

324.7.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Supervisor or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., Texas Public Information Act).

324.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

324.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Supervisor.

The daily information log will generally include:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Lake Dallas ISD Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.2 POLICY

Lake Dallas ISD Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

325.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Criminal subpoenas may be served upon members in accordance with Tex. Code of Crim. Pro. art. 24.04 by personally delivering or reading the subpoena to the member; electronically transmitting the subpoena, with a receipt requested, to the last known email address of the member; or by certified mail with a return receipt requested.

Civil subpoenas may be served upon a member by personally delivering a copy of the subpoena to the member along with any fees required by law (Tex. RCP Rule 176.5; Tex. Civ. Prac. & Rem. Code § 22.001).

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf or at the request of any party other than the District Attorney or the prosecutor shall notify the Chief of Police in writing without delay regarding:

- (a) Any civil case where the District or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Lake Dallas ISD Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Lake Dallas ISD Police Department.

In those circumstances where a civil action arises as result of the member's employment with the Lake Dallas ISD, the member shall furnish a copy of the complaint as well as a full and accurate account of the circumstances in question.

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The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

No employee shall volunteer to testify in civil actions.

325.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

325.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

325.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

325.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

325.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

325.6.2 EVIDENCE

When a member is directed by a subpoena to appear in court with evidence, that member should:

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- (a) Notify the Property and Evidence Section promptly after receiving the subpoena that the specified evidence is needed for court, and verify that the evidence is readily available.
- (b) Verify whether the evidence will be analyzed by the time of the court appearance, if applicable, and advise the prosecutor of any delay.
- (c) Check with the prosecuting attorney on a timely basis if in doubt about what items or materials to bring to court.
- (d) Notify the prosecuting attorney on a timely basis in the event that evidence has been lost, stolen or misplaced, or if previously undisclosed information about the evidence has become available.
- (e) Comply with provisions of the Property and Evidence Section Policy regarding checking out the evidence and transferring custody of the evidence to the prosecutor or the court, whichever is appropriate.

325.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current collective bargaining agreement or memorandum of understanding.

Outside Agency Assistance

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

326.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

326.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Supervisor's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

326.3.1 AGREEMENTS

The Supervisor should remain familiar with the existence of any interlocal contracts or agreements entered into between the Lake Dallas ISD Police Department and surrounding agencies when considering requests for assistance (Tex. Local Gov't Code § 362.002; Tex. Gov't Code § 418.109; Tex. Gov't Code § 791.027).

326.3.2 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Lake Dallas ISD Police Department shall notify his/her supervisor or the Supervisor and Central Communications as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

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Outside Agency Assistance

326.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

326.5 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Chief of Police or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements for use of the equipment and supplies.

The Police Chief should maintain documentation that the appropriate members have received the required training.

Registered Offender Information

327.1 POLICY

It is the policy of the Lake Dallas ISD Police Department to refer interested parties to the appropriate local police department or sheriff's office regarding the identity and monitoring of registered offenders.

Major Incident Notification

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Lake Dallas ISD Police Department in determining when, how and to whom notification of major incidents should be made.

328.2 POLICY

The Lake Dallas ISD Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

328.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the District. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty
- Homicides, suspicious deaths, or deaths related to law enforcement activity
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery, or sexual assaults
- High-risk missing persons
- In-custody deaths
- Aircraft, train, boat, or other transportation collisions with major damage and/or injury or death
- Traffic collisions with fatalities or severe injuries
- Death of a prominent Lake Dallas ISD official
- Significant injury or death to a member of the Department, whether on- or off-duty
- Arrest of a member of the Department or prominent Lake Dallas ISD official
- Equipment failures, utility failures, and incidents that may affect staffing or pose a threat to basic police services
- Any other incident that has attracted or is likely to attract significant media attention

328.4 OFFICER IN CHARGE RESPONSIBILITIES

The Officer in Charge is responsible for making the appropriate notifications. The Officer in Charge shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notifications as soon as practicable.

328.4.1 COMMAND STAFF NOTIFICATION

In the event an incident occurs as identified in the Criteria for Notification section above, the Chief of Police shall be notified along with the Superintendent of the Lake Dallas ISD.

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Major Incident Notification

328.4.2 PUBLIC INFORMATION OFFICER

After members of the command staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

Death Investigation

329.1 POLICY

It is the policy of the Lake Dallas ISD Police Department to contact the local police department or sheriff's office to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

Identity Theft

330.1 POLICY

It is the policy of the Lake Dallas ISD Police Department to contact the local police department or sheriff's office to investigate cases of identity theft.

Service Animals

331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

331.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

331.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

331.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

331.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Lake Dallas ISD Police Department affords to all members of the public (28 CFR 35.136).

331.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

331.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

331.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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331.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Off-Duty Law Enforcement Actions

332.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Lake Dallas ISD Police Department with respect to taking law enforcement action while off-duty.

332.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.

332.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. Officers should consider waiting for on-duty uniformed peace officers to arrive instead of immediately intervening and, while waiting, gather as much accurate intelligence as possible. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other peace officers.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding peace officers.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

While off duty, officers who have consumed alcohol to the extent that their mental and/or physical abilities are impaired shall refrain from exercising any police authority.

332.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

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Off-Duty Law Enforcement Actions

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Lake Dallas ISD Police Department until acknowledged. Official identification should also be displayed when possible.

332.4 CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

332.4.1 INCIDENTS OF PERSONAL INTEREST

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

332.5 REPORTING

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Supervisor regarding any law enforcement action taken while off-duty. The Supervisor may send a supervisor to the location. The supervisor may request assistance from the Professional Standards Unit, if deemed appropriate.

The Supervisor shall determine whether a crime report or an administrative report should be completed by the involved officer.

Community Relations

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies throughout the General Orders of the Lake Dallas ISD Police Department.

333.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

333.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships.
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Central Communications of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Central Communications of their location and status during the foot patrol.

333.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or authorized designee and is responsible for:

- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.

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2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (e) Working with the Operations Sergeant to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending District council and other community meetings to obtain information on community relations needs.
- (h) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
- (i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

333.5 SURVEYS

The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

333.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer/Drug Abuse Resistance Education (D.A.R.E.®) programs.
- (e) Neighborhood Watch and crime prevention programs.

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333.7 INFORMATION SHARING

The community relations coordinator should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media.
- (c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously.

333.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs.
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

333.9 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, should not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

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Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

333.10 COMMUNITY ADVISORY COMMITTEE

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Police Chief should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

333.10.1 LEGAL CONSIDERATIONS

The Chief of Police and the community relations coordinator should work with the District Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

333.11 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officer, suspects or case numbers. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

333.12 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.

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- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

Chapter 4 - Patrol Operations

Patrol

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 POLICY

The Lake Dallas ISD Police Department provides campus-based patrol services during school hours and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3 FUNCTION

Officers will generally be conducted by uniformed officers in clearly marked law enforcement vehicles at assigned campuses of Lake Dallas ISD. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Campus patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Directing and controlling traffic.
- (h) Carrying out crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Carrying out community-oriented policing and problem-solving activities, including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.

400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all officers on a timely basis. Members should be provided with opportunities on a regular basis to share information daily with other officers.

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Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other area departments.

400.5 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Lake Dallas ISD Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Tex. Code of Crim. Pro. art. 3.05). This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes toward certain groups).

401.2 POLICY

The Lake Dallas ISD Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

The Lake Dallas ISD Police Department and state law strictly prohibits officers from engaging in racial profiling. Each of our officers have received training concerning the racial and other bias-based profiling law and have been provided with a copy of our departmental policy retaining to bias-based profiling.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

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401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

The Chief of Police should ensure that the Department has appropriate systems in place to collect information required by state racial profiling laws (Tex. Code of Crim. Pro. art. 2.132).

Each time an officer makes a traffic stop, the officer shall gather the required information using the system in place for racial profiling reporting (Tex. Code of Crim. Pro. art. 2.133).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties and those of their subordinates.
- (b) 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.
- (c) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (d) Supervisors should periodically review body-worn camera recordings and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (e) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (f) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

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401.6 STATE REPORTING

The Chief of Police shall annually submit a report of the information required in Tex. Code of Crim. Pro. art. 2.132 to the Texas Commission on Law Enforcement (TCOLE) and to each governing body served by the Department.

The Chief of Police shall also provide to TCOLE and each governing body served by the Department a report containing an analysis of the information required by Tex. Code of Crim. Pro. art. 2.133. The report must be submitted by March 1 of each year (Tex. Code of Crim. Pro. art. 2.134).

The reports may not include identifying information about any officer who made the traffic stop or about any individual who was stopped or arrested (Tex. Code of Crim. Pro. art. 2.132; Tex. Code of Crim. Pro. art. 2.134).

401.7 ADMINISTRATION

The Sergeant should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Tex. Code of Crim. Pro. art. 2.132).

Supervisors should review the report submitted to TCOLE and the governing body and the annual report and discuss the results with those they are assigned to supervise.

401.8 COMPLIMENTS AND COMPLAINTS

The Sergeant is responsible for educating the public on the Department's compliment and complaint process (see the Personnel Complaints Policy). This education may be achieved by information provided through the Department website. This information shall include the telephone number, mailing address and e-mail address to make a compliment or complaint regarding a ticket, citation or warning issued by an officer.

In the event that an investigation is initiated against an officer for a violation of this policy, the Sergeant should ensure that a copy of any related recording is provided as soon as practicable to the officer upon written request (Tex. Code of Crim. Pro. art. 2.132).

401.9 TRAINING

Training on fair and objective policing and review of this policy shall be conducted annually and include:

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.

Crime and Disaster Scene Integrity

402.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

402.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

402.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or other designated person.

402.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

402.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat.

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Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

402.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

402.6 ENFORCING HEALTH ORDERS

When the Department of Health or a health authority has ordered a group of five or more individuals who have been exposed to or infected with a communicable disease to implement control measures to prevent the spread of the disease, officers have authority to secure the members of the group and to prevent the members from leaving the group or others from joining the group (Tex. Health & Safety Code § 81.083). In addition, when an area quarantine has been imposed by the Department of Health or a health authority, officers have authority to secure the area and to prevent individuals from entering or leaving the quarantine area (Tex. Health & Safety Code § 81.085).

Hostage and Barricade Incidents

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

403.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against his/her will under threat or actual use of force.

403.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

403.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands, and the available resources.

403.3.1 EMERGENCY COMMUNICATIONS

A supervisor may order the telephone company to disconnect or control telephone lines in order to prevent an armed and barricaded suspect or person holding a hostage from communicating

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with anyone other than designated personnel when the supervisor has probable cause to believe that the suspect is committing a crime (Tex. Utilities Code § 186.021).

403.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

403.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. In the interim, the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt to obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

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- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

403.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated, if practicable, pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

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- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

403.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting Denton County SWAT (SWAT) response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized assignment members, additional department members, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the District during the incident. The supervisor should direct nonessential personnel away from the scene unless they have been summoned by the supervisor or Central Communications.
- (i) Identify a media staging area outside the outer perimeter and have the department PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

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403.6 SWAT RESPONSIBILITIES

It will be the SWAT Commander's decision, with input from the Incident Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the SWAT Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access, and will support the SWAT. The Incident Commander and the SWAT Commander or the authorized designees shall maintain direct communications at all times.

403.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Response to Bomb Calls

404.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Lake Dallas ISD Police Department in their initial response to incidents involving explosives or explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

404.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

404.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Supervisor is immediately advised and informed of the details. This will enable the Supervisor to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

404.4 LAKE DALLAS ISD POLICE DEPARTMENT FACILITY

If the bomb threat is against the Lake Dallas ISD Police Department facility, the Supervisor will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

404.5 DISTRICT FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the District of Lake Dallas ISD, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.

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- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

404.5.1 ASSISTANCE

The Supervisor should be notified when police assistance is requested. The Supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

404.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

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- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes:
 - 1. Two-way radios.
 - 2. Cell phones.
 - 3. Other personal communication devices.
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

404.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds, or any additional damage from fires or unstable structures.

404.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.

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- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

404.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Fire marshal
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

404.8 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

404.8.1 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be embedded in nearby structures or hanging in trees and bushes.

Crisis Intervention Incidents

405.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

405.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

405.2 POLICY

The Lake Dallas ISD Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

405.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

405.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate officer to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

405.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

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405.5.1 TRANSFER TO TREATMENT CENTER

An officer should transfer a person to an available treatment center, in lieu of making an arrest, when it is reasonable and it appears that a mental health crisis or substance abuse issue led the person to commit the offense. Transfer to a treatment center is not an option when the offense was any of the following (Tex. Code of Crim. Pro. art. 16.23):

- (a) A felony
- (b) A misdemeanor involving violence
- (c) Any of the following:
 - 1. Driving while intoxicated (Tex. Penal Code § 49.04)
 - 2. Driving while intoxicated with a child passenger (Tex. Penal Code § 49.045)
 - 3. Flying while intoxicated (Tex. Penal Code § 49.05)
 - 4. Boating while intoxicated (Tex. Penal Code § 49.06)
 - 5. Boating while intoxicated with a child passenger (Tex. Penal Code § 49.061)
 - 6. Assembling or operating an amusement park ride while intoxicated (Tex. Penal Code § 49.065)

405.5.2 RELEASE OF PERSONS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES

In lieu of making an arrest, an officer may release a person who has an intellectual or developmental disability at the person's residence when (Tex. Code of Crim. Pro. art. 14.035):

- (a) The person resides at a group home or an intermediate care facility.
- (b) The officer reasonably believes that confinement of the person is unnecessary to protect the person and the other persons who reside at the residence.
- (c) The officer has made reasonable efforts to consult with staff at the person's residence and with the person regarding the decision not to make an arrest.

405.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.

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- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.
- Approach the individual from the front.
- Be helpful and professional.
- Provide or obtain on-scene emergency aid when treatment of an injury is urgent.
- Check for and follow procedures indicated on medical alert bracelets or necklaces.
- Indicate a willingness to understand and help.
- Use active listening and paraphrase responses.
- Use the person's name and your name when possible.
- Understand that a rational discussion may not take place.
- Recognize that sensations, hallucinations, thoughts, frightening beliefs, sounds ("voices"), or the environment are "real" to the person and may overwhelm the person.
- Be friendly, patient, accepting and encouraging, but remain firm and professional.
- Be aware that your uniform, gun, and/or handcuffs may frighten the person with mental illnesses.
- Reassure the person that no harm is intended.
- Attempt to determine if the person is taking any psychotropic medications.
- Announce actions before initiating them.
- Gather information from family or bystanders.
- Use patience and communications to control.
- Use physical force only as a last resort.
- Don't be afraid to ask direct questions about what the person is experiencing, such as, "Are you hearing voices? Are you thinking of hurting yourself? Are you in need of something?"

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.
- Move suddenly, startling the person, giving rapid orders, or shouting.
- Force discussion.

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- Corner or rush
- Touch the person (unless essential for the safety of the person, bystanders, or the officer involved).
- Crowd the person or moving into his or her zone of comfort.
- Express anger, impatience, or irritation.
- Assume that a person who does not respond cannot hear.
- Use inflammatory language, such as "mental" or "mental subject."
- Challenge delusional or hallucinatory statements.
- Mislead the person to believe that officers on the scene think or feel the way the person does.

405.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the communications operator provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

405.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Sergeant.

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- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

405.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

405.10 EVALUATION

The Sergeant designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

405.11 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

The Department shall provide crisis intervention training as required by the Texas Commission on Law Enforcement (TCOLE) (Tex. Occ. Code § 1701.253; Tex. Occ. Code § 1701.352; Tex. Occ. Code § 1701.402; Tex. Educ. Code § 96.641).

405.11.1 BRAIN INJURIES AND TRAUMA-AFFECTED VETERANS

Training in acquired and traumatic brain injuries and trauma-affected veterans should be provided as developed by TCOLE (Tex. Occ. Code § 1701.264; Tex. Occ. Code § 1701.265). This training shall be provided to all newly hired personnel during their first week of employment, with refresher training given to all personnel at least every three years.

Emergency Detentions

406.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under an emergency detention.

406.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to protect the public and individuals through legal and appropriate use of the emergency detention process.

406.3 AUTHORITY

An officer who has reason to believe that an individual has a mental illness and is at a substantial risk of harming him/herself or others may take the individual into custody, regardless of the age of the person, and transport him/her to an inpatient mental health facility or otherwise appropriate facility capable of providing a 48-hour evaluation. Officers may also request that Emergency Medical Services (EMS) personnel transfer the person to an appropriate facility if the Lake Dallas ISD Police Department has a memorandum of understanding with the EMS provider under Tex. Health & Safety Code § 573.005 (Tex. Health & Safety Code § 573.001; Tex. Health & Safety Code § 573.021).

An officer may also transport a person pursuant to a court order issued under Tex. Health & Safety Code § 574.023.

406.3.1 ADVISEMENT

Officers who take an individual into custody for an emergency detention shall immediately inform the individual in simple terms (Tex. Health & Safety Code § 573.001):

- (a) Of the reason for the detention.
- (b) That a member of the mental health facility will inform the individual of his/her rights within 24 hours after admission (Tex. Health & Safety Code § 573.025).

Officers shall also give these notices to the individual when EMS personnel will be transporting the individual for evaluation (Tex. Health & Safety Code § 573.005).

406.3.2 NOTIFICATIONS

If an officer determines that a person taken into custody for an emergency detention is a person for whom a guardian has been appointed (i.e., ward of the state), the officer shall notify the appropriate probate court with jurisdiction over the person's guardianship of the person's detention or transportation to a facility as soon as practicable but no later than one business day after the detention (Tex. Health & Safety Code § 573.0021).

406.3.3 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for emergency detention, he/she may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

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- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the Peace Officer's Notification of Emergency Detention, if appropriate.

406.3.4 PHYSICALLY ILL MENTALLY DISTURBED PERSONS

When a mentally ill person is also physically ill or injured so that transport by ambulance is necessary, an officer will ride in the rear of the ambulance with the person.

406.3.5 ADDITIONAL CONSIDERATIONS

A minimum of two officers should be present before any action is begun toward taking a person into custody.

An officer who feels that a person should be taken into custody will not force entry into the home of the mentally ill person unless a life is in immediate danger.

When an officer is dispatched to a call in which a person has attempted suicide or is threatening suicide, the officer shall make certain that the immediate situation is stabilized. The officer shall also attempt to locate a relative, close friend, or other responsible party who is available. The officer shall then contact the appropriate mental health facility/provider for assistance and/or emergency detention.

406.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for an emergency detention should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Emergency detentions should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

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406.5 TRANSPORTATION

When transporting any individual for an emergency detention, the transporting officer should notify the Central Communications that an individual is being transported for a mental health detention. The officer performing the transport shall provide beginning and ending mileage.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Supervisor approval is required before transport commences.

The officers taking the person into custody shall apply handcuffs for transport. The officers should explain that handcuffs are necessary for everyone's protection. They should use front cuffs with a belt restraint if possible. Officers who believe that the person will not resist should inform the person of their intentions beforehand and explain their reasoning. Officers who believe that the person will resist should understand that immediate forceful action may be necessary to restrain the person.

406.5.1 TRANSPORTING PURSUANT TO A COURT ORDER

When a member transports a person pursuant to a court order, the member shall ensure that the person is transported in the manner prescribed by Tex. Health & Safety Code § 574.045.

406.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the Notification of Emergency Detention and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

406.7 DOCUMENTATION

The officer shall complete a Notification of Emergency Detention, provide it to the facility staff member assigned to the individual or to the EMS personnel transporting the individual and retain a copy for inclusion in the case report (Tex. Health & Safety Code § 573.002). The officer must complete a miscellaneous incident report detailing the event and attach a copy of the petition to the report.

If a criminal incident involving a mentally ill person is reported, all pertinent information involving the offense must be included in that report.

Certain individuals may habitually display behavior that is or may become well known to members of the Lake Dallas ISD Police Department. Whenever contact is made with these individuals, a field interview (FI) card should be completed.

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Information that is included in the computer-aided dispatch (CAD) system regarding a mentally ill person who is a hazard to police officers should be written up by a supervisor and provided to the Communications Manager.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

406.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody on an emergency detention should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for an emergency detention has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should complete following:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an emergency detention.

In the supervisor's judgment, the individual may instead be transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

406.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an emergency detention, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent) (Tex. Health & Safety Code § 573.001).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer shall immediately provide the individual a written receipt for the firearm and written notice of the procedure for the return of the firearm (Tex. Health & Safety Code § 573.001; Tex. Code of Crim. Pro. art. 18.191).

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406.10 TRAINING

This department will provide training approved by the Texas Commission on Law Enforcement (TCOLE) on interacting with persons with mental disabilities, emergency detentions and crisis intervention (Tex. Occ. Code § 1701.352).

Citation Releases

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Lake Dallas ISD Police Department with guidance on when to release adults who are suspected offenders on a citation for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Family Violence Policy.

407.2 POLICY

The Lake Dallas ISD Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation, when authorized to do so.

407.3 RELEASE

A suspected offender may be released on issuance of a citation as follows (Tex. Code of Crim. Pro. art. 14.06):

- (a) For class C misdemeanors, other than public intoxication, by issuing a citation that contains a written notice with the following information:
 - 1. The name and address of the person.
 - 2. The offense with which the person is charged.
 - 3. The time and place the person must appear before a magistrate.
 - 4. The admonishment required by Tex. Code of Crim. Pro. art. 14.06 regarding possession of a firearm.
 - 5. Information regarding alternatives to the full payment of any fine and costs that the person would incur if the person was convicted of the offense and could not pay the amount.
- (b) For certain Class A and B misdemeanors, as specified by Tex. Code of Crim. Pro. art. 14.06(d), by issuing a citation that contains a written notice with the following information consistent with procedures established by the appropriate local prosecutor's office:
 - 1. The name and address of the person.
 - 2. The offense with which the person is charged.
 - 3. The time and place the person must appear before a magistrate.

407.4 PROHIBITIONS

The release of a suspected offender on a citation is not permitted for public intoxication (Tex. Code of Crim. Pro. art. 14.031; Tex. Code of Crim. Pro. art. 14.06). If the offender is not arrested, he/she must be released as provided by Tex. Code of Crim. Pro. art. 14.031.

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See the Family Violence Policy for release restrictions related to those investigations.

407.5 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

407.6 STATE MILITARY PERSONNEL

A person en route to or from active state military duty may not be arrested except for treason, a felony or an offense involving a breach of the peace (Tex. Gov't. Code § 437.223). For all other offenses, these persons may be issued a citation as specified within this policy.

Foreign Diplomatic and Consular Representatives

408.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Lake Dallas ISD Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

408.2 POLICY

The Lake Dallas ISD Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

408.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol or, in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll-free at 866-217-2089, or at another current telephone number, and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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408.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving, may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries
 - 4. Honorary consular officers

408.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

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408.5.1 DOCUMENTATION PROCEDURES

An officer shall document all of the relevant information required by Tex. Transp. Code § 543.011 when a person holding a driver's license issued by the DOS or otherwise claiming privileges or immunities is stopped or issued a citation by the officer for any of the following offenses:

- (a) A traffic violation
- (b) Driving While Intoxicated (DWI)
- (c) Intoxication assault
- (d) Intoxication manslaughter

The Administration shall forward such information with a copy of the traffic citation, collision report, or written report of the incident, as applicable, to the DOS within five working days (Tex. Transp. Code § 543.011).

408.6 DIPLOMATIC IMMUNITY

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability

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Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table represents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety or the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response and Deployment

409.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

409.2 POLICY

The Lake Dallas ISD Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

409.3 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

409.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to incidents at other locations.

When deciding on a course of action officers should consider:

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- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

409.5 PLANNING

The Operations Sergeant should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

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409.6 TRAINING

The Police Chief should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Lake Dallas ISD Police Department relating to immigration and interacting with federal immigration officials.

410.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

410.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Texas constitutions.

410.3.1 INQUIRY INTO IMMIGRATION STATUS

Members should not inquire into the nationality or immigration status of a victim or witness unless doing so is relevant to the investigation or to provide the victim or witness with information about visas for individuals providing assistance to law enforcement (i.e., T visa or U visa) (Tex. Code of Crim. Pro. art. 2.13).

410.4 DETENTIONS

An officer should not detain any individual for any length of time for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

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An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

410.4.1 SUPERVISOR RESPONSIBILITIES

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

410.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer will not need to notify federal immigration officials when booking arrestees at the District jail. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

410.6 FEDERAL REQUEST FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

410.7 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Tex. Gov't Code § 752.053):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity
- (d) Permitting federal immigration officials to enter a jail and conduct enforcement activities

410.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

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410.7.2 COMPLYING WITH IMMIGRATION DETAINERS

The Lake Dallas ISD Police Department will comply with lawful immigration detainer requests related to a person already in custody unless there is reason to believe the person is a citizen of the United States or has lawful immigration status in the United States based on proof such as a Texas driver's license or similar government-issued identification.

An individual who is being held in custody and who is the subject of a federal immigration detainer shall be informed he/she is being held pursuant to an immigration detainer request issued by federal immigration officials (Tex. Code of Crim. Pro. art. 2.251).

410.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Division supervisor assigned to oversee the handling of any related case. The Investigation Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
 - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

410.9 TRAINING

The Police Chief should ensure officers receive immigration training on this policy. Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

Air Support

411.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

411.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

411.3 REQUEST FOR AIR SUPPORT

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support may be made.

411.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) When the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to officers or the community.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Vehicle pursuits.
- (e) Pre-planned events or actions that require air support.
- (f) Due to a request under an existing mutual aid agreement.
- (g) When the Supervisor or equivalent authority determines a reasonable need exists.

Contacts and Temporary Detentions

412.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

The taking of photographs of a juvenile is handled by the Temporary Custody of Juveniles Policy.

412.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

412.2 POLICY

The Lake Dallas ISD Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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412.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Lake Dallas ISD Police Department to strengthen community involvement, community awareness and problem identification.

412.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

412.3.2 CONCLUDING A FIELD INTERVIEW

When concluding an encounter, personnel shall thank the individual for cooperating. When feasible, all personnel shall identify themselves by name. When an individual requests the information, personnel shall give their departmental identification number, name of their immediate supervisor, or any other reasonable information.

412.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.

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- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

412.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

412.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

412.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

412.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Supervisor with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Supervisor should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Supervisor will forward the photograph and

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documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Administration.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

412.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

412.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Body-Worn Cameras

413.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of body-worn cameras by members of this department while in the performance of their duties. This policy also applies to additional audio/video recording devices including all recording systems whether body-worn, hand-held, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Lake Dallas ISD Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

Additional related provisions are in the Records Maintenance and Release and Protected Information policies.

413.2 POLICY

The Lake Dallas ISD Police Department may provide members with access to body-worn cameras, for use during the performance of their duties. The use of body-worn cameras is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

413.3 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

- (a) Establishing procedures for the security, storage, and maintenance of data and recordings.
- (b) Establishing procedures for accessing data and recordings.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging, or marking events.
- (e) Preparing the annual report required by Tex. Occ. Code § 1701.653.
- (f) Ensuring that Texas Commission on Law Enforcement (TCOLE) training is provided to members who are assigned to wear body-worn recording devices and any other personnel who may come into contact with data obtained from the devices (Tex. Occ. Code § 1701.656).
- (g) Establishing procedures for making backup copies of recordings (Tex. Occ. Code § 1701.655).
- (h) Establishing procedures for the collection of a body worn camera (Tex. Occ. Code § 1701.655).

413.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device

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it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

413.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that the member is equipped with a body-worn camera, issued by the Department, and that the body-worn camera is in good working order. If the body-worn camera is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to the member's supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the body-worn camera in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved body-worn camera at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the body-worn camera in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a body-worn camera, the assigned member shall record the member's name, LDISD PD identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the device and related software captures the user's unique identification and the date and time of each recording.

All body-worn camera recordings should be downloaded or copied to the appropriate department storage location before the end of shift. They may be downloaded or copied to the appropriate department storage location at a later date with the approval of the Chief of Police.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the body-worn camera malfunctioned or the member deactivated the recording (Tex. Occ. Code § 1701.655). Members should include the reason for deactivation. In addition, members should document instances where the member did not activate the device at all and the reason for such decision (Tex. Occ. Code § 1701.657).

413.6 SUPERVISOR RESPONSIBILITIES

Supervisors will attend department training on the use, retrieval, and storage of data, using body-worn cameras.

Supervisors will take such action to ensure data from body-worn cameras are transferred and stored properly and in a timely manner.

Supervisors will ensure that body-worn camera data has been deleted from personally owned devices before officers leave shift.

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413.7 ACTIVATION OF THE BODY-WORN CAMERA

This policy is not intended to describe every possible situation in which a body-worn camera should be used, although there are many situations where its use is appropriate. Members should activate their body-worn camera any time the member believes it would be appropriate or valuable to record an incident.

The body-worn camera should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify Central Communications
- (d) During any field or eyewitness identification
- (e) During building searches and alarm responses
- (f) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a body-worn camera or change the recording media. However, the body-worn camera should be activated in situations described above as soon as reasonably practicable.

413.7.1 CESSATION OF RECORDING

Once activated, the body-worn camera should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

413.7.2 SURREPTITIOUS USE OF BODY-WORN CAMERA

Texas law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Tex. Penal Code § 16.02).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

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413.7.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

413.8 PROHIBITED USE OF BODY-WORN CAMERAS

Members are prohibited from using department-issued body-worn cameras and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Supervisor, and then only if allowed under Tex. Occ. Code § 1701.658. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

Officers shall not intentionally create recordings of citizen's activities in areas where a reasonable expectation of privacy exists, unless the recording is made while the officer is legally in the area in accordance with this policy.

Officers shall not knowingly record undercover officers or informants.

Officers may only use body-worn cameras in patient care areas of hospitals or emergency rooms when the recording is for official business. Officers will attempt to prevent the recording of non-involved individuals to the extent possible.

413.9 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule.

413.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

413.10 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

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A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under Tex. Occ. Code § 1701.660 et seq. or the Texas Public Information Act.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

413.11 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases.) However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member's performance.

Officers shall not allow non-sworn personnel to view a body-worn camera or recorded data without approval of the Chief of Police.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.
- (e) By a supervisor during periodic reviews for compliance with racial profiling laws (Tex. Code of Crim. Pro. art. 2.132).

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All recordings should be reviewed by the Custodian of Records prior to public release (See the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

413.11.1 QUARTERLY SUPERVISORY REVIEW

Supervisors will randomly review at least three body-worn camera recordings per officer per quarter. Supervisors are not required to watch each incident of 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. Supervisors will document the random review of the video in their daily activity logs and any violations of policy or law will be addressed. This 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.

Public Recording of Law Enforcement Activity

414.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

414.2 POLICY

The Lake Dallas ISD Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

414.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officer, him/herself or others.

414.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

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individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

414.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

414.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

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Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Section Policy.

Medical Aid and Response

415.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

415.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

415.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so (Tex. Code of Crim. Pro. art. 2.35).

Prior to initiating medical aid, the member should contact Central Communications and request response by Emergency Medical Services (EMS) as the member deems appropriate (Tex. Code of Crim. Pro. art. 2.35).

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Central Communications with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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415.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

415.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with an emergency detention in accordance with the Emergency Detentions Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

415.6 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

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Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

415.7 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

415.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Chief of Police or designee should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.

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- Avoid the aircraft's tail rotor area.
- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

415.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the physician who prescribed the overdose medication for use by the member (Tex. Health & Safety Code § 483.106).

415.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Police Chief.

Any member who administers an opioid overdose medication should contact Central Communications as soon as possible and request response by EMS.

415.9.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

415.9.3 OPIOID OVERDOSE MEDICATION TRAINING

The Police Chief should ensure training is provided to members authorized to administer opioid overdose medication.

415.10 FIRST AID TRAINING

Subject to available resources, the Police Chief should ensure officers receive periodic first aid training appropriate for their position.

First Amendment Assemblies

416.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

416.2 POLICY

The Lake Dallas ISD Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

416.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting, loitering and funeral service disruptions. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and to prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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416.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions, assistance in evaluating department performance, serving as training material, recording the use of dispersal orders and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

416.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to:

- Location.
- Number of participants.
- Apparent purpose of the event.
- Leadership (whether it is apparent and/or whether it is effective).
- Any initial indicators of unlawful or disruptive activity.
- Indicators that lawful use of public facilities, streets or walkways will be impacted.
- Ability and/or need to continue monitoring the incident.

Initial assessment information should be promptly communicated to Central Communications, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

416.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

416.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.

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- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

416.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) An established liaison with District government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

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- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

416.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

416.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear, standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

416.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capicum (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

416.8 ARRESTS

The Lake Dallas ISD Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

416.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media, to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

416.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

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416.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include:

- (a) Operational plan.
- (b) Any incident logs.
- (c) Any assignment logs.
- (d) Vehicle, fuel, equipment and supply records.
- (e) Incident, arrest, use of force, injury and property damage reports.
- (f) Photographs, audio/video recordings, Central Communications records/tapes.
- (g) Media accounts (print and broadcast media).

416.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with District legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used, to include:

- (a) Date, time and description of the event.
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

416.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Civil Disputes

417.1 PURPOSE AND SCOPE

This policy provides members of the Lake Dallas ISD Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Family Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Texas law.

417.2 POLICY

The Lake Dallas ISD Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice. Officers shall not serve civil process papers nor render assistance in civil cases except as required by law.

417.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While the following is not intended to be an exhaustive list, members should give consideration to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice; however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

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Civil Disputes

417.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

Suspicious Activity Reporting

418.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

418.2 POLICY

The Lake Dallas ISD Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

418.3 RESPONSIBILITIES

The Chief of Police and the authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Chief of Police or designee include, but are not limited to:

- (a) Remaining familiar with those databases available to the department that would facilitate the purpose of this policy.

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Suspicious Activity Reporting

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage community members to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

418.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about the involved parties and the circumstances of the incident. If, during any investigation an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

418.5 HANDLING INFORMATION

The Chief of Police will maintain copies of SARs.

Hazardous Material Response

419.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance which, by its nature, containment or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

419.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

419.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill, or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before the responder is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

The Texas Department of Public Safety (DPS) will be responsible for on-site coordination of transportation emergencies for all unincorporated areas and may assume the on-site coordination role within cities when requested to do so by local government (37 Tex. Admin. Code § 4.2).

419.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify Central Communications, appropriate supervisors, the appropriate fire department and hazardous response units.

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1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (c) Wear personal protective equipment (PPE), being cognizant that some hazardous material can be inhaled.
- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 1. Placards or use of an emergency response guidebook.
 2. Driver's statements or shipping documents from the person transporting the material.
 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable.
- (k) Notify the Texas DPS, as necessary (37 Tex. Admin. Code § 4.2).

419.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Supervisor as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

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Hazardous Material Response

419.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is available from supervisors. PPE not maintained by this department may be available through the appropriate fire department or emergency response team.

Chapter 5 - Traffic Operations

Traffic

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic collisions, citizen complaints, traffic volume, traffic conditions, and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

500.3 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or citations issued by any member shall not be used as the sole criterion for evaluating member overall performance (Tex. Transp. Code § 720.002).

500.3.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

500.3.2 CITATIONS

Citations should be issued when a member believes it is appropriate. When issuing a citation for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with:

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

An officer shall issue a citation and give the person an opportunity to sign the citation for the offense of speeding, using a wireless communication device under Tex. Transp. Code § 545.4251 or a violation of the open container law. If the person refuses to sign the citation, an arrest may be made in accordance with this policy (Tex. Transp. Code § 543.004).

500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with but are not limited to:

- (a) Vehicular manslaughter.

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- (b) Felony and misdemeanor driving under the influence (DUI or DWI) of alcohol or drugs.
- (c) Felony or misdemeanor hit-and-run.
- (d) Refusal to sign a notice to appear.
- (e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

While state law permits officers to make an arrest for most class C traffic offenses, prior to doing so, officers should obtain supervisor approval.

500.4 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery, and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic collisions investigations, lane closures, and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

500.5.2 CARE AND STORAGE

High-visibility vests shall be maintained in the trunk of each patrol and investigation vehicle, in the side box of each police motorcycle and in the gear bag of each patrol bicycle. Each vest should be stored inside a resealable plastic bag to protect and maintain the vest in a serviceable condition. Before going into service, each member shall ensure that a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained and made available for replacement of damaged or unserviceable vests. The Police Chief should be promptly notified whenever the supply of vests needs replenishing.

Traffic Collisions

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic collisions.

501.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to respond to traffic collisions and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of collisions by attempting to identify the cause of the collision and through enforcing applicable laws. Unless restricted by law, traffic collision reports will be made available to the public upon request. The Lake Dallas ISD Police Department primary jurisdiction involving traffic collisions are on district property or adjacent thereof. Department officers may assist over law enforcement agencies with traffic collisions.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A District vehicle involved.
 - 4. A District official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A District of Lake Dallas ISD vehicle involved.
 - 2. A District of Lake Dallas ISD official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.

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- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic collision involves a life-threatening injury or fatality, the responding officer shall notify a supervisor or, if unavailable, the Supervisor. The Supervisor or any supervisor may assign a traffic investigator or other appropriate personnel to investigate the incident. The Supervisor will ensure notification is made to the Sergeant, department command staff, and Superintendent in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain, or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic collision should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

A collision report shall be taken when:

- (a) A fatality, any injury (including complaint of pain), driving while intoxicated, or hit-and-run is involved.
- (b) An on-duty member of the District of Lake Dallas ISD is involved.
- (c) The collision results in any damage to any District-owned or leased vehicle.
- (d) The collision involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) There is damage to any vehicle to the extent that towing is required.
- (g) Prosecution or follow-up investigation is contemplated.
- (h) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

Reports may be taken for collisions occurring on private property when the collision results in injury to or death of any person or total apparent property damage of \$1,000 or more. This does not apply to privately owned residential parking areas or a privately owned parking lot where a fee is charged for parking or storing a vehicle (Tex. Transp. Code § 550.041).

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501.5.2 TRAFFIC COLLISIONS DAMAGING FENCES

An officer who responds to, or investigates, an incident involving a fence that the officer reasonably believes is intended to enclose livestock or other animals is required to immediately notify a landowner who has registered to receive notifications pursuant to Tex. Local Gov't Code § 370.004.

501.5.3 DISTRICT VEHICLE INVOLVED

A traffic collision report shall be taken when a District vehicle is involved in a traffic collision that results in property damage or injury.

A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a District vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Sergeant. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

501.5.4 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic collision involves the disposition of an injured animal.

501.6 INVESTIGATION

When a traffic collision meets minimum reporting requirements, the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence, reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Sergeant or on-duty Supervisor should request that the Texas Department of Public Safety or other outside law enforcement agency investigate and complete a traffic collision investigation when a life-threatening injury or fatal traffic collision occurs within the jurisdiction of the Lake Dallas ISD Police Department and involves:

- (a) An on- or off-duty member of the Department.
 - 1. The involved member shall complete the department traffic collision form. If the member is unable to complete the form, the supervisor shall complete it.
- (b) An on- or off-duty official or employee of the District of Lake Dallas ISD.

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Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic collision. The collision investigation and report shall be completed by the agency having jurisdiction.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the collision, authorized members may issue a citation as appropriate (Tex. Transp. Code § 550.041).

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter, or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 REPORTS

Department members shall utilize forms provided by the Texas Department of Transportation (TXDOT) for the reporting of traffic collisions. All such reports shall be forwarded to the Operations for approval and filing (Tex. Transp. Code § 550.063).

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member (Tex. Transp. Code § 550.068).

501.8.2 SERGEANT RESPONSIBILITIES

The responsibilities of the Sergeant include but are not limited to:

- (a) Ensuring the monthly and quarterly reports on traffic collision information and statistics are forwarded to the Operations Sergeant or other persons as required.
- (b) All collision reports taken by members of this department involving injury, death, or more than \$1,000 in property damage must be submitted to TXDOT no later than the 10th day after the collision (Tex. Transp. Code § 550.062).

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 POLICY

The Lake Dallas ISD Police Department will tow vehicles on or adjacent to district property when appropriate and in accordance with the law.

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through Central Communications to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (Tex. Transp. Code § 545.305).

Vehicles that are not the property of the District should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.

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- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

502.6 RECORDS

Administration members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.6.1 VEHICLE STORAGE REPORT

Department members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the Administration as soon as practicable after the vehicle is towed.

502.6.2 NOTICE OF TOW

The vehicle storage facility holding a vehicle that has been impounded by this department is required to provide the registered owner or operator of the vehicle with formal notice of his/her right to a court hearing on whether probable cause existed for the removal of the vehicle (Tex. Occ. Code § 2303.151, Tex. Occ. Code § 2308.454).

If an owner or operator of an impounded vehicle contacts the Department to dispute an impound and it is determined that he/she has not received formal notice from the vehicle storage facility, the Administration Manager should refer the owner or operator to the vehicle storage facility so that he/she may obtain a copy of such notice.

To ensure that the owner or operator of an impounded vehicle has a basic understanding of the remedies available, the Administration Manager may advise the owner or operator of their right to submit a written request for a hearing to the justice court in accordance with Tex. Occ. Code § 2308.456.

If the impounded vehicle was abandoned as defined by Tex. Transp. Code § 683.002, the Administration Manager should attempt to determine the names and addresses of any individuals having an interest in the vehicle as soon as practicable. The Administration Manager shall send notice to all such individuals by certified mail within 10 days of the impound (Tex. Transp. Code § 683.012).

502.7 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

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502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses, fanny packs, personal organizers, briefcases or other closed containers designed for carrying money, small valuables or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the inventory report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner, or booked into property for safekeeping.

Any cash, jewelry or other small valuables located during the inventory process will be held for safekeeping, in accordance with the Property and Evidence Section Policy. A copy of the property receipt should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons

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independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

Impaired Driving

503.1 POLICY

The Lake Dallas ISD Police Department shall contact the appropriate law enforcement agency regarding suspected driving while intoxicated (DWI) violations.

Traffic and Parking Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding and dismissing traffic and parking citations.

504.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic citation, parking citation, or written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

504.3 RESPONSIBILITIES

The Administration shall be responsible for the supply and accounting of all traffic and parking citations issued to members of this department. Citations will be kept in a secure location and issued to members by the Administration staff. Members will sign for the citation books when issued or upon return of unused citations.

Members of the Lake Dallas ISD Police Department shall only use department-approved traffic and parking citation forms.

504.3.1 WRITTEN OR VERBAL WARNINGS

Written or verbal warnings may be issued when the department member believes it is appropriate. The Administration should maintain information relating to traffic stops in which a written warning is issued. Written warnings are retained by this department in accordance with the established records retention schedule.

504.4 TRAFFIC CITATIONS

504.4.1 CORRECTION

When a traffic citation is issued but is in need of correction, the member issuing the citation shall submit the citation and a letter to his/her immediate supervisor requesting a specific correction. Once approved, the citation and letter shall then be forwarded to the Administration. The Police Chief or the authorized designee shall prepare a letter of correction to the court having jurisdiction and notify the citation recipient in writing.

504.4.2 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation shall be presented to a supervisor for approval. The citation and copies shall then be forwarded to the Administration.

504.4.3 DISMISSAL

Members of this department do not have the authority to dismiss a traffic citation once it has been issued. Only the court has that authority. Any request from a recipient to dismiss a citation shall

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be referred to the Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the officer may request the Chief of Police to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Prior to a court hearing, a member may submit a request for dismissal of a traffic citation to his/her supervisor. The request must be in writing and should include the reason for dismissal (i.e., in the interest of justice, prosecution is deemed inappropriate). Upon a review of the circumstances involving the issuance of the traffic citation, the supervisor may forward the request to the Chief of Police to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal.

Should a member determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member may request the court to dismiss the citation. Upon such dismissal, the member shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required, and forward it to the Chief of Police for review.

504.4.4 DISPOSITION

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the member's immediate supervisor for review by the end of each shift. The citation copies shall then be filed with the Administration.

Upon separation from appointment or employment with this department, all members who were issued traffic citation books shall return any unused citations to the Administration.

504.4.5 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing a juvenile a citation.

504.4.6 DATA COLLECTION

For data collection requirements related to racial profiling laws, see the Bias-Based Policing policy.

Disabled Vehicles

505.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for department members who provide assistance to motorists in disabled vehicles within the primary jurisdiction of the Lake Dallas ISD Police Department.

505.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

505.3 RESPONSIBILITIES

When an on-duty member of this department sees a disabled vehicle on the roadway, the member should make a reasonable effort to provide assistance and notify the appropriate law enforcement agency to respond.

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

600.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine whether additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Supervisor.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

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600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any felony offense or misdemeanor offense shall be recorded (audio or video with audio as available) in its entirety when conducted at the Lake Dallas ISD Police Department, jail, or any other law enforcement facility unless:

- (a) The suspect refuses to respond or cooperate while being recorded.
 - 1. A refusal by a suspect to provide a recorded statement should be recorded when possible.
 - 2. The refusal should be documented in the associated report.
- (b) There is an equipment malfunction.
- (c) Exigent circumstances exist.
- (d) The person was not suspected of one of the listed offenses when the interrogation began.

Any custodial interrogation of any other violent felony offense should also be recorded in its entirety. Regardless of where the interrogation occurs, reasonable efforts should be made to secure functional recording equipment to accomplish such recordings. If the person expresses the desire to provide a voluntary oral statement during the course of the interrogation, officers should ensure that the requirements of Tex. Code of Crim. Pro. art 38.22 are satisfied to facilitate the admissibility of the statement.

Consideration should also be given to recording any investigative interview when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered until a final conviction is obtained, all direct appeals are exhausted or prosecution is barred by law (Tex. Code of Crim. Pro. art 38.22). Written authorization from the prosecuting attorney and the Investigation Division supervisor should be obtained and placed in the related case file. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete, and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

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600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, there is no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Family Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment,

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the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Sergeant or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

Sexual Assault Investigations

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Title 5, Chapter 21 (Sexual Offenses) and Chapter 22 (Assaultive Offenses) of the Texas Penal Code and in Tex. Penal Code § 25.02 (Prohibited Sexual Conduct).

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

601.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community. Reports of sexual assaults that took place off district property should be referred to the law enforcement agency with appropriate jurisdiction. If that agency refuses to respond, the officer should notify the Chief of Police immediately and prepare to proceed with the investigation.

601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates, and support for the victim.
- (f) Participate in or coordinate with SART or other multidisciplinary investigative teams as applicable.

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Sexual Assault Investigations

- (g) Ensure relevant information is included in the FBI's Violent Criminal Apprehension Program (ViCAP) as required by Tex. Gov't Code § 420.036.

601.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

601.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Central Communications, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART or the multidisciplinary response team should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Officers conducting an investigative interview with an adult victim shall offer the victim an opportunity to have a trained sexual assault program advocate present, or if not available, a crime victim liaison or other properly trained officer from the Department or victim's assistance counselor, provided such support would not unreasonably delay the interview process (Tex. Code of Crim. Pro. art. 56A.3515).

601.5.1 POLYGRAPH EXAMINATIONS

Members of the Lake Dallas ISD Police Department may not request or require a victim of a sexual assault to submit to a polygraph examination, nor take a polygraph examination of a victim of certain crimes specified by law (34 USC § 10451; Tex. Code of Crim. Pro. art. 15.051).

601.5.2 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense may keep the identity of the victim confidential by providing the victim with a pseudonym form as provided to this department by the Sexual Assault Prevention and Crisis Services program of the Texas Office of the Attorney General. The victim may choose a pseudonym to be used instead of his/her name (Tex. Code of Crim. Pro. art. 58.102).

Once the pseudonym form has been completed by the victim and returned to this department, the Department may not be required to disclose the victim's name, address, and telephone number. The Department shall also (Tex. Code of Crim. Pro. art. 58.103):

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- (a) Remove the victim's name and substitute the pseudonym for the name on all reports, files, and records in the Department's possession.
- (b) Notify the attorney for the state of the pseudonym and that the victim has elected to be designated by the pseudonym.
- (c) Maintain the form in a manner that protects the confidentiality of the information.

601.5.3 VICTIM'S RIGHTS

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

Subject to the requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

601.6.1 REQUESTS FOR FORENSIC MEDICAL EXAMINATIONS

Officers shall refer victims for a forensic medical examination when a sexual assault is reported within 120 hours of the offense or when the victim is a minor, regardless of the amount of time that has passed between the offense and report of the offense. If a sexual assault is not reported within 120 hours of the offense and the victim is not a minor, officers should still refer the victim for a forensic medical examination when it would further the investigation (Tex. Code of Crim. Pro. art. 56A.303).

601.6.2 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence are required to do the following (Tex. Gov't Code § 420.041; Tex. Gov't Code § 420.042):

- (a) Use an evidence collection kit provided by the Attorney General (Tex. Gov't Code § 420.031)

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- (b) Upon notice from a health care facility or other entity that performs a medical examination, take possession of the evidence collected within the time frame specified in Tex. Gov't Code § 420.035
- (c) Enter required information into the ViCAP database (Tex. Gov't Code § 420.036)
- (d) Submit the evidence to an accredited crime laboratory for analysis within 30 days from the date the evidence was received
 - 1. If evidence is not timely submitted, the Chief of Police or the authorized designee shall submit a written explanation within 30 days of discovering the delay.
- (e) Provide any additional information requested by the crime laboratory within five business days of the request when a match between the biological evidence and a profile contained in a DNA database has been identified by the laboratory (Tex. Gov't Code § 420.0431)
- (f) Acknowledge the receipt of notice of a case-to-case match identified between the biological evidence and a profile contained in a DNA database within five business days of receipt (Tex. Gov't Code § 420.0431)
- (g) Within 30 business days after receiving notice from the crime laboratory that a verified match has identified a suspect, make reasonable attempts to collect a biological sample from the suspect and submit it to the laboratory for DNA analysis (Tex. Gov't Code § 420.0431)

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Section Policy.

601.6.3 DNA TEST RESULTS

No later than five business days after receiving notice that a profile contained in a DNA database has been identified as a match to the biological evidence, the member investigating a sexual assault case shall notify the victim of the match, or, if disclosing the match would interfere with the case, the estimated date in which the match will be disclosed (Tex. Gov't Code § 420.0432). If requested, upon receipt of any other results from the DNA analysis, investigating member shall, as soon as reasonably practicable, notify the victim of the results, or, if disclosing the results would interfere with the case, the estimated date in which the results will be disclosed (Tex. Code of Crim. Pro. art. 56A.052).

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in by the Victim and Witness Assistance policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

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601.6.4 PROHIBITED USE OF FORENSIC MEDICAL EVIDENCE

The Lake Dallas ISD Police Department will not use forensic medical evidence collected from a sexual assault victim to investigate a misdemeanor offense, or any offense that falls under the Texas Controlled Substances Act alleged to have been committed by the victim (Tex. Code of Crim. Pro. art. 38.435).

601.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Investigation Division supervisor.

Classification of a sexual assault case as unfounded requires the Investigation Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

601.8 CASE REVIEW

The Investigation Division supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART or multidisciplinary response team and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

601.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Investigation Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

601.10 TRAINING

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
 1. Initial response to sexual assaults.
 2. Legal issues.
 3. Victim advocacy.

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4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
 1. Interviewing sexual assault victims.
 2. SART or multidisciplinary response team.
 3. Medical and legal aspects of sexual assault investigations.
 4. Serial crimes investigations.
 5. Use of community and other federal and state investigative resources, such as ViCAP.
 6. Techniques for communicating with victims to minimize trauma.

Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Lake Dallas ISD Police Department seizes property for forfeiture or when the Lake Dallas ISD Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the assigned forfeiture attorney.

Property subject to forfeiture - Also referred to as contraband, is property of any nature, including real, personal, tangible, or intangible property that is either used or intended to be used in the commission/facilitation of certain offenses, or that has been acquired directly or indirectly through the commission of certain offenses as specified in Tex. Code of Crim. Pro. art. 59.01(2) and Tex. Civ. Prac. & Rem. Code § 140B.102. Contraband may also include proceeds gained from the commission of offenses as specified in Tex. Code of Crim. Pro. art. 59.01(2). However, contraband as defined by Tex. Code of Crim. Pro. art. 59.01(2)(B)(v) related to the Texas Litter Abatement Act only applies to a municipality with a population of 250,000 or more (Tex. Code of Crim. Pro. art. 59.02).

Property subject to forfeiture may also include items associated with a conviction related to gambling, an offense involving a criminal instrument (specially designed, made, or adapted for use in the commission of an offense), possession of an obscene device or material, child pornography, or for an offense involving a scanning device or a re-encoder (Tex. Code of Crim. Pro. art. 18.18).

Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

602.2 POLICY

The Lake Dallas ISD Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution

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of criminal offenses, officer safety, the integrity of ongoing investigations or any person's due process rights.

It is the policy of the Lake Dallas ISD Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeitures.

602.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

602.3.1 PROPERTY SUBJECT TO SEIZURE

The following property may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (Tex. Code of Crim. Pro. art. 59.03; Tex. Civ. Prac. & Rem. Code § 140B.105):

- (a) Property subject to forfeiture seized under the authority of a search warrant or other court order.
- (b) Property subject to forfeiture may be seized without warrant under any of the following circumstances:
 - 1. The owner, operator, or agent in charge of the property knowingly consents to the seizure.
 - 2. The owner, operator, or agent in charge of the property knowingly consented to a search that led to the discovery of the property subject to forfeiture and the seizing officer has a reasonable belief that a substantial connection exists between the property and the criminal activity.
 - 3. The seizure was incident to a lawful arrest, lawful search, or lawful search incident to arrest and the seizing officer has a reasonable belief that a substantial connection exists between the property and the criminal activity.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the forfeiture attorney's current minimum forfeiture thresholds
- (b) Property when it is reasonably known to the officer that a third party may be an "innocent owner" as defined by Texas law (Tex. Code of Crim. Pro. art. 59.02).

If there is a question as to whether a third party might be an innocent owner, the officer should seek guidance from the forfeiture reviewer or the assigned attorney.

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602.3.3 CONTRABAND LOCATED OUT OF STATE

If property subject to seizure is located out of state, the officer making such discovery shall provide the forfeiture attorney with a sworn statement that identifies the contraband and reasons it is subject to seizure so that a notice of intended forfeiture may be filed in the appropriate state court (Tex. Code of Crim. Pro. art. 59.022).

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere; the whereabouts of the property is unknown; it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

602.4.1 DOCUMENTATION AND FOLLOW UP

An officer who seizes property subject to forfeiture shall (Tex. Code of Crim. Pro. art. 59.03):

- (a) Provide the forfeiture attorney with a sworn statement containing a list of the property seized, an acknowledgement that the officer has seized the property and an explanation of the officer's reasons for the seizure.
- (b) Document an assertion of an interest in, or right to, the property by the person in possession of the property at the time of seizure.

No member may request, require or in any manner induce any person, including a person who asserts an interest in, or right to, the property, to execute a document purporting to waive the person's interest in, or rights to, property seized under this chapter (Tex. Code of Crim. Pro. art. 59.03).

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Within 72 hours after the seizure, the officer shall place the property under seal, remove the property to a place ordered by the court or have the property taken into custody by another agency having jurisdiction.

602.4.2 DOCUMENTATION IN SUITS FOR PROCEEDS

An officer who identifies proceeds gained from the commission of an offense specified in Tex. Code of Crim. Pro. art 59.01(2) shall provide the forfeiture attorney for the state with an affidavit identifying the amount of the proceeds and the officer's basis for probable cause to believe the proceeds are contraband subject to forfeiture (Tex. Code of Crim. Pro. art. 59.023).

602.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Section supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine whether the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.
- (e) Forfeitable property is retained until such time as its use as evidence is no longer required.

602.6 FORFEITURE REVIEWER

The Chief of Police will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the Tex. Code of Crim. Pro. art. 59.01 et seq., Tex. Code of Crim. Pro. art. 18.18, Tex. Civ. Prac. & Rem. Code § 140B.101 et seq., and the forfeiture policies of the forfeiture attorney's office.
- (b) Serving as the liaison between the Department and the forfeiture attorney and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.

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- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form, and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
 - 1. Names and contact information for all relevant persons and law enforcement officers involved.
 - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 - 3. A space for the signature of the person from whom cash or property is being seized.
 - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure, and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs), or General Orders. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
 - 4. Property is promptly released to those entitled to its return.
 - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 - 6. Any cash received is deposited with the fiscal agent.
 - 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 - 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 - 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information

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for other law enforcement personnel and attorneys who may assist in these matters is available.

- (j) Ensuring that the process of selling or adding forfeited property to department inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.
- (k) Upon completion of any forfeiture process, ensuring that no property is retained by the Lake Dallas ISD Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.
- (l) Reviewing cases for potential "substitute property" that may be forfeitable through the forfeiture attorney when more direct proceeds or property may have been converted into other assets (Tex. Code of Crim. Pro. art. 59.021).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures (Tex. Code of Crim. Pro. art. 59.06).

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and District financial directives (Tex. Code of Crim. Pro. art. 59.06).

602.7 DISPOSITION OF FORFEITED PROPERTY

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

602.7.1 PROHIBITIONS

Proceeds or property received under Tex. Code of Crim. Pro. art. 59.01 et seq. will not be used to (Tex. Code of Crim. Pro. art. 59.06):

- (a) Contribute to a political campaign.
- (b) Make a donation to any entity, except as provided by Tex. Code of Crim. Pro. art. 59.06(d-2).
- (c) Pay expenses related to the training or education of any member of the judiciary.
- (d) Pay any travel expenses related to attendance at training or education seminars if the expenses violate generally applicable restrictions established by the commissioner's court or the governing body of the municipality, as applicable.
- (e) Purchase alcoholic beverages.
- (f) Make any expenditure not approved by the proper authority.
- (g) Increase a salary, expense or allowance for an employee of the law enforcement agency, a forfeiture attorney who is budgeted by the commissioner's court or the governing body of the municipality, unless the commissioner's court or the governing body first approves the increase.

Eyewitness Identification

603.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

603.2 POLICY

The Lake Dallas ISD Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

603.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers (Tex. Code of Crim. Pro. art. 38.20).

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

603.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Investigation Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications (Tex. Code of Crim. Pro. art. 38.20).

The process should include appropriate forms or reports that provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

603.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

603.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup. Photographic identification of suspects by witnesses should supplement other investigative actions and/or evidence.

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Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out (Tex. Code. of Crim. Pro. art. 38.20). In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

Photographic lineups should be prepared in accordance with the Eyewitness Identification Procedure Manual. Photographic lineups should be presented in accordance with the Eyewitness Identification Procedure Manual.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding (Tex. Code of Crim. Pro. art. 38.20). 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 the appropriate prosecutor for procedural and technical assistance, and the line-up should be carried out with the principles of this policy in mind.

603.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identification. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines and documented in accordance with the Eyewitness Identification Procedure:

- (a) Supervisory approval should be obtained prior to any field identification.
- (b) The officer is responsible for ensuring the witness is able to understand the instructions given by officers.
 - 1. 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.
- (c) Obtain a complete description of the suspect from the witness.
- (d) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - (a) Field identifications should not be attempted more than two hours after the commission of a crime.

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2. The distance between the witness and the suspect.
 3. Whether the witness could view the suspect's face.
 4. The quality of the lighting when the suspect was observed by the witness.
 5. Whether there were distracting noises or activity during the observation.
 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 7. The length of time that has elapsed since the witness observed the suspect.
- (e) No field identification will be done if the witness is unsure of his/her ability to identify the suspected individual.
- (f) Words or conduct of any type by officersthat may suggest to the witness that the individual is or may be the perpetrator will be avoided.
- (g) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (h) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (i) Field identification should be conducted with only one witness present at a time.
1. If there is more than one witness a separate field identification should be conducted for each one.
- (j) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (k) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (l) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (m) If a witness positively identifies a subject of a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect.
1. In such instances members should document the contact information for any additional witnesses for follow-up, if necessary.
 2. The suspect should be arrested and photographic lineup procedures used for other witnesses.

These restrictions apply not only to civilian field identifications, but to field identifications in which an officer is the witness.

603.8 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report in accordance with the Eyewitness Identification Procedure Manual.

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If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

603.9 TRAINING

The Police Chief shall ensure that an eyewitness identification education and training program established by the Texas Commission on Law Enforcement (TCOLE) is provided to officers (Tex. Code of Crim. Pro. art. 2.1386).

Brady Information

604.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

604.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information - Information known or possessed by the Lake Dallas ISD Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

604.2 POLICY

The Lake Dallas ISD Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Lake Dallas ISD Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

604.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

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604.4 BRADY PROCESS

The Chief of Police shall select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Administration Sergeant or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the District Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
 - 1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

604.5 DISCLOSURE OF REQUESTED INFORMATION

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information.
- (b) The prosecuting attorney or District Attorney should be requested to file a motion in order to initiate an in-camera review by the court.
 - 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

604.6 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct,

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the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

604.7 SUBPOENA PROCESSING

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

604.8 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or entity or department-owned property is damaged or lost.

700.2 POLICY

The Lake Dallas ISD Police Department will ensure that members are issued appropriate property and equipment necessary for the member's job function. The department will take steps to minimize the cost associated with maintaining department property, including personal property authorized for use in the member's duties.

700.3 DEPARTMENT-ISSUED PROPERTY

The Administration supervisor should document all property and equipment issued to members by the Department in the appropriate file at the time of issuance. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

700.3.1 MEMBER RESPONSIBILITIES

Members shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, department-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department-issued property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without prior approval.
- (e) Members should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.

700.4 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty requires prior written approval by the Chief of Police. The member should submit a request that includes a description of the property, and the reason and length of time it will be used. Personal property of the type routinely carried by persons not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

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The Department will not replace or repair items (e.g., jewelry, expensive watches) that are not reasonably required as part of work.

700.4.1 FILING CLAIMS FOR PERSONAL PROPERTY

A member requesting reimbursement for damage to, or loss of, personal property must submit the request in writing to the member's immediate supervisor. The supervisor may require a separate written report.

Upon review by command staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the District department responsible for issuing payments.

700.5 SUPERVISOR RESPONSIBILITIES

The supervisor receiving a report that property, including personal property authorized for use, has been damaged should conduct an investigation and direct a memo to the Chief of Police. The memo should include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Cases where the supervisor has reason to believe that misconduct or negligence was involved in the loss, damage or unserviceable condition of property should be handled in accordance with the Standards of Conduct and Personnel Complaints policies.

700.6 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY

Members who intentionally or unintentionally damage or cause to be damaged the real or personal property of another person or entity while performing any law enforcement function shall promptly report the damage through his/her chain of command.

700.6.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the District of Lake Dallas ISD or of another person while performing their duties within the jurisdiction of this department. The department member present or the member responsible for the property is responsible to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Lake Dallas ISD Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or after duty hours for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department PCDs or networks (see the Information Technology Use Policy for additional guidance).

Members have no expectation of privacy regarding any communications while using a personally owned PCD for department-related business or when the use reasonably implicates work-related misconduct.

701.4 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

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- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications) or as otherwise authorized by department procedures.
 - 1. Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
 - 2. Use of and data within a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
 - 3. Searches of a personally owned PCD by the Department should be limited to those matters reasonably associated with the work-related business or work-related misconduct.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings, and other public records created or received on a member's personally owned PCD should be transferred to the Lake Dallas ISD Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, memorandum of understanding, or if the member has prior express authorization from their supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate recordkeeping.

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701.5 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business

- (a) A PCD may not be used to conduct personal business while on-duty except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.
- (b) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (c) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means requires the express authorization of the Chief of Police or the authorized designee.
- (d) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.6 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.7 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the

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use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to business-related calls or calls of an urgent nature (Tex. Trans. Code § 545.4251).

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.2 POLICY

The Lake Dallas ISD Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

702.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

Documents describing the correction of the safety issue shall be promptly filed with the vehicle history.

702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

If, in the opinion of the Chief of Police, vehicle damage resulted from abuse or neglect caused by an officer, disciplinary action may result.

702.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.5 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

702.5.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift.

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702.6 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles should not be retired at the end of shift with less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

702.7 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

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.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the District of Lake Dallas ISD to provide assigned take-home vehicles.

703.2 POLICY

The Lake Dallas ISD Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.2 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

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703.3.3 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Sergeant approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.4 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.3.5 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than District personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized by the Chief of Police, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

703.3.6 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.7 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

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703.3.8 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.2 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence (generally no more than 30 miles from the boundaries of the Lake Dallas ISD); the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the District of Lake Dallas ISD is a prime consideration for assignment of a take-home vehicle. Members who reside outside the Lake Dallas ISD may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a District vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Sergeant gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief of Police and there is a high probability that the member will be called back to duty.

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2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 3. When the member has received permission from the Chief of Police.
 4. When the vehicle is being used by the Chief of Police or members who are in on-call administrative positions.
 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department, when a member will be away (e.g., on vacation) for periods exceeding one week.
1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

703.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Lake Dallas ISD Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

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Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.4.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE, AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collisions Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered and documented in memorandum format, which shall be forwarded to the Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.6 TOLL ROAD USAGE

Law enforcement vehicles are exempt from incurring toll road charges (Tex. Transp. Code § 228.054; Tex. Transp. Code § 366.178; Tex. Transp. Code § 370.177). The Administration Sergeant should contact the proper toll road authority to confirm whether additional information, such as license plate numbers, is required by the toll road authority to facilitate the use of this exemption.

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703.7 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever a member is in public view or has contact with the public, his/her attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Chapter 8 - Support Services

Property and Evidence Section

800.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

800.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Property and Evidence Section, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping - Items received by the Department for safekeeping, such as a firearm, the personal property of an arrestee that has been not taken as evidence and items taken for safekeeping under authority of law.

800.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

800.3 PROPERTY AND EVIDENCE SECTION SECURITY

The Property and Evidence Section shall maintain secure storage and control of all property in the custody of this department. The property officer is responsible for the security of the Property and Evidence Section.

800.3.1 REFUSAL OF PROPERTY

The property officer has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the property officer refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into the Property and Evidence Section.

800.3.2 KEY CONTROL

Property and Evidence Section keys should be maintained by the property officer and members assigned to the Property and Evidence Section. An additional set of keys should be kept in a sealed and initialed envelope in an after-hours key box. Property and Evidence Section keys shall not be

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loaned to anyone and shall be maintained in a secure manner. If a Property and Evidence Section key is lost, all access points shall be re-keyed and new keys issued as necessary. After-hours access to the Property and Evidence Section via the additional set of keys must be documented in a memorandum and submitted to the Sergeant as soon as practicable.

800.3.3 ACCESS

Only authorized members assigned to the Property and Evidence Section shall have access to property storage areas. Any individual who needs to enter a property storage area (e.g., maintenance or repair contractors) must be approved by the Sergeant and accompanied by the property officer. Each individual must sign the Property and Evidence Section access log and indicate:

- (a) The date and time of entry and exit.
- (b) The purpose for access, including the specific case or property number.

Each access log entry shall be initialed by the accompanying department member.

800.4 PROPERTY HANDLING

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is transferred to the property officer and/or processed and placed in a temporary property locker or storage area. Care shall be taken to maintain the chain of custody for all items of evidence.

Whenever property is taken from an individual, a property receipt form will be completed. The receipt shall describe the property and contain a notice on how to retrieve the property from the Department. A copy of the property receipt form shall be given to the individual from whom the property was taken.

800.4.1 PROCESSING AND PACKAGING

All property must be processed by the responsible member prior to the member going off-duty, unless otherwise approved by a supervisor. Members shall process and package property as follows:

- (a) A property form shall be completed describing each item. List all known information, including:
 - 1. The serial number.
 - 2. The owner's name.
 - 3. The finder's name.
 - 4. Other identifying information or markings.
- (b) Each item shall be marked with the member's initials and the date processed using a method that will not damage, deface, degrade or devalue the item. Items too small or too delicate to mark should be individually packaged and labeled and the package marked with the member's initials and date.

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- (c) Property shall be packaged in a container suitable for its size.
- (d) A property tag shall be completed and attached to the property or container in which the property is stored.
- (e) The case number shall be indicated on the property tag and the container.
- (f) The property form, without the hard card portion (property control card), shall be submitted with the case report.
- (g) The property control card shall be submitted with the property directly to the property officer or placed in a temporary property locker. Items too large to fit in a temporary property locker may be placed in a designated storage area that can be secured from unauthorized entry, and the property control card placed in a temporary property locker.

800.4.2 EXCEPTIONAL PROCESSING

The following items require special consideration and shall be processed as follows, unless special conditions dictate a reasonable deviation:

Bicycles - Bicycles and bicycle frames shall have a property tag securely attached and should be placed in the bicycle storage area.

Biological and related items - Evidence that may contain biological samples shall be indicated as such on the property form.

Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying cabinet) prior to processing.

Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property form.

Items that are potential biohazards shall be appropriately packaged and marked "Biohazard" to reduce the risk of exposure or contamination.

Cash - Cash shall be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope, and specify any additional security procedures that may be necessary.

Explosives and fireworks - Explosives will not be retained in the police facility. Fireworks that are considered stable and safe, as well as road flares or similar signaling devices, may be stored in proper containers in an area designated for storage of flammable materials.

The property officer is responsible for transporting to the fire department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

Firearms and other weapons - Firearms shall be unloaded and packaged separately from ammunition. Knife boxes should be used to package knives.

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Government property - License plates that have not been reported stolen or are of no evidentiary value should be placed in the designated container for return to the Department of Motor Vehicles. No formal property processing is required.

District property that is of no evidentiary value should be released directly to the appropriate District department. No formal property processing is required.

If no responsible District personnel can be located, the property should be held for safekeeping.

Sharps - Syringe tubes should be used to package syringes and needles.

800.4.3 CONTROLLED SUBSTANCES

- (a) Controlled substances shall not be packaged with other property, but shall be processed separately using a separate property form.
- (b) The member processing controlled substances shall retain such property in his/her possession until it is weighed, packaged, tagged and placed in the designated controlled substances locker, accompanied by the property control card and lab copy of the property form.
- (c) Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. If conducted, the result of the test shall be included in the crime report.
 - 1. The member shall package controlled substances as follows:
 - (a) Maintain the property in the container in which it was seized and place it in a property envelope of appropriate size.
 - (b) Seal and initial the property envelope and cover the initials with cellophane tape.
 - (c) Weigh the property envelope to obtain the Gross Package Weight (GPW).
 - (d) Write the GPW and then initial and date both the outside of the package and the property form.
- (d) When the quantity of controlled substances exceeds the available safe storage capacity as determined by the property officer, the quantity shall be photographed and weighed.
 - 1. A representative sample of sufficient quantity to allow scientific analysis of the controlled substances should be taken as allowed by state law and placed in a separate package or container.
 - 2. Excess quantities should be stored or disposed of as required by law or directed by court order.

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- (e) Marijuana with any perceptible moisture content shall be loosely packaged in a container that allows for drying or shall be dried prior to storage. The property officer shall monitor stored marijuana for growth of mold.

800.5 RECORDING OF PROPERTY

The property officer receiving custody of property shall ensure that information describing the property is included in the report and also listed in the property tab section of the records management system (RMS). The RMS entry will be the permanent record of the property in the Property and Evidence Section.

800.6 PROPERTY CONTROL

The property officer temporarily relinquishing custody of property to another person shall record in RMS, the date and time the property was released, the name of the person accepting custody of the property and the reason for release.

Any member receiving property shall be responsible for such property until it is returned to the Property and Evidence Section or released to another authorized person or entity.

The return of the property to the Property and Evidence Section should be recorded in RMS, indicating the date, the time, and name of the person who returned the property and the name of the person to whom the property was returned.

800.6.1 EVIDENCE

Every time evidence is released or received, an appropriate entry in RMS shall be completed to maintain the chain of custody. No evidence is to be released without first receiving authorization from the Chief of Police.

The temporary release of evidence to members for investigative purposes or for court proceedings shall be noted in RMS, stating the date, time and to whom it was released. Requests for items of evidence needed for court proceedings shall be submitted to the property officer at least one day prior to the court date.

Requests for laboratory analysis shall be completed on the appropriate lab form and submitted to the property officer. This request may be submitted any time after the property has been processed.

800.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The property officer releasing items of evidence for laboratory analysis must complete the required information in RMS. The transporting member will acknowledge receipt of the evidence by indicating the date and time in RMS. The lab form will be transported with the evidence to the examining laboratory. Upon delivering the item, the member will record the delivery time on the lab form and in RMS, and note the person accepting responsibility for the evidence. The original copy of the lab form will remain with the evidence and a copy of the form will be returned to the Chief of Police for filing with the case.

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800.6.3 CONTROLLED SUBSTANCES

The Chief of Police will be responsible for the storage, control and destruction of all controlled substances coming into the custody of this department. The GPW will be verified every time controlled substances are checked in or out of the Property and Evidence Section and any discrepancies noted on the outside of the package. Any change in weight should be immediately reported to the Sergeant.

800.6.4 UNCLAIMED MONEY

Found money or property that is in the possession of the Department and that remains unclaimed is subject to various provisions of the Texas Property Code and the Texas Code of Criminal Procedure (Tex. Code of Crim. Pro. art. 18.17; Tex. Prop. Code § 72.101; Tex. Prop. Code § 74.001 et seq.; Tex. Prop. Code § 76.001 et seq.). The Chief of Police should consult applicable law before disposing of or utilizing money or property under this section.

800.7 RELEASE OF PROPERTY

The Chief of Police shall authorize the release of all property coming into the care and custody of the Department.

Release of property shall be recorded in RMS, listing the name and address of the person to whom the property is to be released. The RMS entry shall be made by the appropriate member, and must conform to the items listed in RMS or must specify the specific items to be released. Release of all property shall be documented in RMS.

Firearms or ammunition should only be released upon presentation of valid identification and authorized documents showing that the individual may legally possess the item. Weapons seized in connection with an offense shall only be released in compliance with Tex. Code of Crim. Pro. art. 18.19.

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping.

Found property and property held for safekeeping shall be retained for the period of time required by law. During such period, members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be fully documented in RMS.

The property officer shall release such property when the owner presents proper identification and an authorized property release form has been received. The name of the person receiving the property shall be recorded in RMS.

If any item listed in RMS has not been released, the RMS entry will remain. When all property listed in RMS has been released, the RMS entry shall be updated.

800.7.1 DISCREPANCIES

The Supervisor shall be notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The Supervisor will interview the person claiming the shortage. The

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Supervisor shall ensure that a search for the alleged missing items is completed and shall attempt to prove or disprove the claim.

800.7.2 DISPUTED CLAIMS TO PROPERTY

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

800.7.3 RETURN OF FIREARMS RELATED TO EMERGENCY DETENTIONS

The Chief of Police shall be responsible for ensuring that a written notice regarding the return of a firearm is mailed and a timely disposition request is made through the appropriate court (Tex. Code of Crim. Pro. art 18.191).

800.8 DESTRUCTION OR DISPOSAL OF PROPERTY

The Chief of Police shall approve the destruction or disposal of all property held by this department.

All property not held for evidence in a pending criminal investigation or proceeding may be destroyed or disposed of in compliance with existing laws upon receipt of proper authorization from the Chief of Police. The disposition of all property shall be entered in RMS.

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court:

- Weapons or devices declared by law to be illegal to possess
- Controlled substances declared by law to be illegal to possess without a legal prescription

800.8.1 BIOLOGICAL EVIDENCE

The property officer shall ensure that no biological evidence held by this department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor and Attorney General
- (d) Any sexual assault victim

Biological evidence shall be retained for a minimum period established by Tex. Code of Crim. Pro. art. 38.43, or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed within the time frame required under Tex. Code of Crim. Pro. art. 38.43, unless a written objection is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall

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be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Sergeant.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Sergeant should be consulted and the sexual assault victim should be notified.

800.8.2 MARIJUANA

At the first sign of mold growth, stored marijuana shall be photographed showing the mold growth. As soon as practicable, the property officer shall make efforts to lawfully destroy the contaminated marijuana, in compliance with this policy. The property officer should consult with the member assigned to the case investigation for authorization to destroy the remaining marijuana, after taking representative samples, and should request assistance from the appropriate prosecutor in obtaining a court order for immediate destruction.

800.8.3 MEDICAL MARIJUANA

The investigating member should advise the property officer and the prosecutor if the party from whom the marijuana was seized holds a valid medical permit to possess marijuana or claims that the possession of the marijuana is for medical purposes.

The property officer shall store marijuana, drug paraphernalia or other related property that is seized from a person engaged in or assisting with the use of medical marijuana in a manner that is consistent with the provisions of the Medical Marijuana Policy.

Marijuana that is infected with mold shall not be returned. This includes marijuana seized from a person who holds a valid medical permit to possess marijuana or who claims that possession of the marijuana is for medical purposes.

800.8.4 RETENTION OF EVIDENCE FROM INTOXICATION OFFENSES

Toxicological evidence collected as evidence in an intoxication offense investigation (including driving while intoxicated (DWI)) under Chapter 49 of the Texas Penal Code shall be retained for the applicable retention period.

The Sergeant or the authorized designee shall ensure that written notice of the retention period is provided as soon as practicable to the person from whom the evidence was collected or to the person's parent or guardian when applicable.

This evidence may not be destroyed until notice has been provided, the retention period has expired, and the prosecutor's office has provided written approval when applicable (Tex. Code of Crim. Pro. art. 38.50).

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800.9 INSPECTION OF THE PROPERTY AND EVIDENCE SECTION

The Sergeant shall ensure that periodic, unannounced inspections of the Property and Evidence Section operations and storage facilities are conducted to ensure adherence to appropriate policies and procedures. The Sergeant also shall ensure that an audit is conducted annually. Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the Property and Evidence Section operations.

Whenever there is a change of assignment for any member with authorized access to the Property and Evidence Section, an inventory of all property shall be conducted by a person who is not associated with the Property and Evidence Section or its function. This is to ensure that all property is accounted for and the records are correct.

Administration

801.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Lake Dallas ISD Police Department Administration. The policy addresses department file access and internal requests for case reports.

801.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to maintain department records securely, professionally and efficiently.

801.3 RESPONSIBILITIES

801.3.1 POLICE CHIEF

The Chief of Police shall appoint and delegate certain responsibilities to a Police Chief. The Police Chief shall be directly responsible to the Administration Sergeant or the authorized designee.

The responsibilities of the Police Chief include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Administration.
- (b) Scheduling and maintaining Administration time records.
- (c) Supervising, training and evaluating Administration staff.
- (d) Maintaining and updating a Administration procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 - 1. Homicides.
 - 2. Cases involving department members or public officials.
 - 3. Any case where restricted access is prudent.

801.3.2 ADMINISTRATION

The responsibilities of the Administration include but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.

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- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection, U.S. Department of Justice's National Law Enforcement Accountability Database), as applicable, for the following types of occurrences:
 - 1. Officer suicides
 - 2. Officer misconduct
 - 3. Uses of force
 - 4. Officer deaths or assaults
 - 5. Crime incidents
 - 6. Deaths in custody
- (h) Maintaining compliance with state requirements for reporting:
 - 1. Sexual Assault Offenses (Tex. Gov't Code § 411.042; 37 Tex. Admin. Code § 27.121)
 - 2. Officer-Involved Injuries or Deaths (Tex. Code of Crim. Pro. art. 2.139; Tex. Code of Crim. Pro. art. 2.1395) (see the Occupational Disease, Work-Related Injury and Death Reporting Policy and the Officer-Involved Shootings and Deaths Policy)
 - 3. Human Trafficking, if applicable (Tex. Code of Crim. Pro. art. 2.305)
 - 4. Controlled Substance Overdoses (Tex. Local Gov't Code § 370.007)

801.4 FILE ACCESS AND SECURITY

The security of files in the Administration must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including field interview (FI) cards, criminal history records and publicly accessible logs, shall be maintained in a secure area within the Administration, accessible only by authorized members of the Administration. Access to case reports or files when Administration staff is not available may be obtained through the Supervisor.

The Administration will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

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801.5 CONFIDENTIALITY

Members have access to information that may be confidential or sensitive in nature. Members shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies.

Records Maintenance and Release

802.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

802.2 POLICY

The Lake Dallas ISD Police Department is committed to providing public access to records in a manner that is consistent with the Texas Public Information Act (Tex. Gov't Code § 552.001 et seq.).

802.3 CUSTODIAN OF RECORDS

The Chief of Police shall coordinate with the District Custodian of Records regarding open records requests. The responsibilities of the Custodian of Records are determined by the Lake Dallas ISD and include, but are not limited to:

- (a) Managing the retention, archiving, release and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
 - (a) Identifying the minimum length of time the Department must keep records.
 - (b) Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Tex. Gov't Code § 552.230).
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law.
 - 1. The fee schedule shall follow the rules adopted by the Attorney General (Tex. Gov't Code § 552.262).
- (g) Ensuring a sign is prominently displayed at the Department, in a form prescribed by the Attorney General, which provides to the public a description of the basic rights of a person who requests public information, the responsibilities of the Department and the procedures, to include the cost of inspecting or obtaining copies of public information (Tex. Gov't Code § 552.205).
- (h) Protecting public information from deterioration, alteration, mutilation, loss or unlawful removal. This includes ensuring that public records are repaired, renovated or rebound as necessary to maintain the records properly (Tex. Gov't Code § 552.203).

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- (i) Establishing policies to ensure the expeditious and accurate processing of requests that may require programming or manipulation of data (Tex. Gov't Code § 552.231).
- (j) Maintaining familiarity with the Attorney General's handbook on the Texas Public Information Act.

802.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

802.4.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following:

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (c) The payment of any authorized fees required for the copying or mailing of the records requested as authorized by the Texas Public Information Act (Tex. Gov't Code § 552.261 et seq.).
- (d) Public information should be made available for inspection, duplication, or both, within 10 business days.
 - 1. If a request cannot be honored within 10 business days, or if the record is unavailable because it is actively in use or in storage, the Custodian of Records shall prepare a written response to be sent to the requestor. The response should include the date and a reasonable time when the information will be available (Tex. Gov't Code § 552.221).
- (e) The Custodian of Records may not make inquiry of a requestor except to establish proper identity or under one of the following conditions (Tex. Gov't Code § 552.222):
 - 1. If the request is unclear, the person may be asked to clarify the request.
 - 2. If the request is for a large amount of information, the Custodian of Records may discuss with the requestor how to narrow the scope of the request.
 - 3. If the request is for information related to motor vehicle records, the person may be asked to provide additional identifying information that establishes that the person is eligible to receive the information under the Texas Motor Vehicle Records Disclosure Act (Tex. Transp. Code § 730.001 et seq.).

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4. A request for clarification or discussion must include a statement that warns the requestor of the consequences of the failure to timely respond to the request for clarification, discussion, or additional information.
- (f) Examination of the information made available by the Custodian of Records pursuant to a request must occur no later than 10 business days after the date the Custodian of Records makes the record available unless a request for extension has been made and approved in accordance with Tex. Gov't Code § 552.225.
- (g) If a request will require programming or data manipulation that makes compliance with the request unfeasible, likely to cause a substantial interference with the department's ongoing operations, or at a cost that covers the programming or manipulation, the Custodian of Records shall send written notification to the requestor of such fact within 20 days or as otherwise provided in Tex. Gov't Code § 552.231.
1. If the requestor does not respond to the department's written notification within 30 days, the Department does not have any further obligation to provide the requested information.

802.4.2 DENIALS

If the Custodian of Records determines that information should be withheld because it is within one of the exceptions under Subchapter C of the Texas Government Code (Tex. Gov't Code § 552.101 through Tex. Gov't Code § 552.154), he/she must ask the Attorney General for a decision about whether the information is excepted under that subchapter unless there has been a previous determination by the Attorney General that the information may be withheld. The request for a decision by the Attorney General must be in accordance with the Texas Public Information Act (Tex. Gov't Code § 552.301 et seq.).

Records are presumed to be subject to public disclosure if the Custodian of Records fails to request an opinion by the Attorney General as required by law (Tex. Gov't Code § 552.302).

802.5 RELEASE RESTRICTIONS

Examples of release restrictions include but are not limited to:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; Tex. Gov't Code § 552.130; Tex. Transp. Code § 550.065; Tex. Transp. Code § 730.004).
- (b) Victim information that may be protected by statutes, including:
 1. Specific information that relates to a person's application for or award of victim compensation benefits or contained in a victim impact statement (Tex. Gov't Code § 552.132; Tex. Gov't Code § 552.1325).

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2. Victims of crimes who have requested that their identifying information be kept confidential by filing a pseudonym form (Tex. Code of Crim. Pro. art. 58.103; Tex. Code of Crim. Pro. art. 58.153; Tex. Code of Crim. Pro. art. 58.203; Tex. Code of Crim. Pro. art. 58.253).
 3. Information that identifies a victim of certain sex offenses (e.g., trafficking, prostitution, sexual assault) or a victim who was younger than 18 years of age when the offense was committed, unless the information is disclosed to the victim, a qualified parent or guardian, law enforcement, or by court order (Tex. Gov't Code § 552.1315).
- (c) Juvenile-related information that may be protected by statutes (Tex. Fam. Code § 58.008; Tex. Code of Crim. Pro. art. 45.0217).
 - (d) Ongoing investigation material that may be protected by statutes. This does not include basic information about an arrested person, an arrest, or a crime (Tex. Gov't Code § 552.108).
 - (e) Certain types of reports involving but not limited to child abuse and neglect and adult abuse (Tex. Fam. Code § 261.201; Tex. Hum. Res. Code § 48.101).
 - (f) Sensitive crime scene images or video recordings of deceased persons (Tex. Gov't Code § 552.1085).
 - (g) Information contained in a personnel file, the disclosure of which would constitute a clear unwarranted invasion of personal privacy (Tex. Gov't Code § 552.102).
 1. The home address, telephone number, emergency contact information, and Social Security number of a peace officer of this department or other information that reveals whether the peace officer has family members is exempted from disclosure (Tex. Gov't Code § 552.117; Tex. Gov't. Code § 552.1175).
 2. Photographs that depict a peace officer of this department are exempted from disclosure if the release would endanger the life or physical safety of the officer unless the officer is under indictment or charged with an offense, a party in a civil service hearing, or the photograph is introduced as evidence in a judicial proceeding (Tex. Gov't Code § 552.119).
 - (h) Information relating to civil or criminal litigation to which any member of the Department is or may be a party as a consequence of the member's employment with the Department (Tex. Gov't Code § 552.103).
 - (i) Requests made by a person imprisoned or incarcerated in a correctional facility unless made by the person's attorney (Tex. Gov't Code § 552.028).
 - (j) Recordings from a body-worn recording device of an officer-involved use of deadly force or recordings related to an administrative or criminal investigation of an officer while criminal and administrative matters are still ongoing (Tex. Occ. Code § 1701.660).
 - (k) Recordings from a body-worn recording device of an officer when the recording was made in a private space or when the recording involves the investigation of a

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misdemeanor punishable by fine only and does not result in arrest (Tex. Occ. Code § 1701.661).

1. Recordings may be released with the written authorization of the person who is the subject of the recording or that person's authorized representative.

802.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact the Chief of Police and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, District Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

802.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

802.8 SECURITY BREACHES

Members who become aware that any Lake Dallas ISD Police Department system containing personal information may have been breached should notify the Police Chief as soon as practicable.

The Police Chief shall ensure the required notice is given to any individual whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person. If the breach involves more than 10,000 individuals, notice of the timing, distribution, and content of the notices shall also be given to each consumer reporting agency (Tex. Local Gov't Code § 205.010; Tex. Bus. & Comm. Code § 521.053).

Notice shall be given without unreasonable delay, but no later than 60 days after a determination is made that a breach occurred, and be consistent with the legitimate needs of the Lake Dallas ISD Police Department and with any measures necessary to determine the scope of the breach or to restore the reasonable integrity of the agency data system. Notice may be delayed if notification will impede a criminal investigation (Tex. Local Gov't Code § 205.010; Tex. Bus. & Comm. Code § 521.053).

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For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (Tex. Local Gov't Code § 205.010; Tex. Bus. & Comm. Code § 521.002):

- (a) Social Security number
- (b) Driver's license number or Texas identification card number
- (c) Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
- (d) Information that identifies an individual and relates to the physical or mental health or condition of the individual, to the provision of health care to the individual, or to the payment for the provision of health care to the individual

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Police Chief should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

If the breach involves 250 or more residents of the state, notice shall be sent to the attorney general as soon as practicable and no later than 30 days after a determination is made that a breach occurred. Notice to the attorney general must be submitted electronically and include a detailed description of the breach or information acquired as a result of the breach, the number of residents affected by the breach, the number of affected residents who have been sent a disclosure, the measures taken or that are intended to be taken regarding the breach, and whether the Lake Dallas ISD Police Department or another law enforcement agency is investigating the breach (Tex. Local Gov't Code § 205.010; Tex. Bus. & Comm. Code § 521.053).

802.9 SEALED RECORDS OR EXPUNGEMENT

Expungement orders and orders to seal records received by the Department shall be reviewed for appropriate action by the Chief of Police and the Custodian of Records. The Chief of Police and the Custodian of Records shall expunge or seal such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once the record is expunged or sealed, members shall respond to any inquiry as though the record did not exist.

802.10 TRAINING

All members authorized to manage, release or facilitate public access to department records shall complete a training program approved or provided by the Attorney General that includes, but is not limited to, the department requirements and obligations under the Texas Public Information Act (Tex. Gov't Code § 552.012).

Protected Information

803.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Lake Dallas ISD Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

803.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Lake Dallas ISD Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

803.2 POLICY

Members of the Lake Dallas ISD Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

803.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicles (DMV) records, Department of Public Safety (DPS) records and the Texas Law Enforcement Telecommunications System (TLETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.

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- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

803.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Lake Dallas ISD Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (Tex. Gov't Code § 411.085).

803.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Police Chief for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Administration to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

803.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.

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- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

803.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

803.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

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Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Lake Dallas ISD Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The period an adult is in custody at the Lake Dallas ISD Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to immediately transported adults in custody to the Denton County Jail. Officers will then follow the jail processing procedures prior to releasing the arrested party to the custody of the Denton County Sheriff's Office.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours. Once the jail intake paperwork is completed, the subject will be transported to the Denton County Jail.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Lake Dallas ISD Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Emergency Detentions Policy).

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1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with or displays symptoms of any communicable disease that poses an unreasonable exposure risk (37 Tex. Admin. Code § 265.12).
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability (37 Tex. Admin. Code § 275.1).

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.

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- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the District jail or the appropriate mental health facility.

The officer should promptly notify the Supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The Supervisor shall determine whether the individual will be placed in a cell, immediately released or transported to jail or another facility.

900.4.1 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Chief of Police or designee will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 - 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.

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- (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
- 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

900.4.2 NOTIFICATION TO PROBATE COURT

Officers should make a reasonable attempt to determine whether an individual who is detained or arrested is a person for whom a guardian has been appointed (i.e., a ward of the state) and notify the probate court with jurisdiction over the individual's guardianship of the arrest as soon as practicable but no later than one business day after the person is detained or arrested (Tex. Code of Crim. Pro. art 14.055; Tex. Code of Crim. Pro. art. 15.171).

900.4.3 IDENTIFICATION

Each person in custody should be fingerprinted and photographed. Copies of the fingerprints should be forwarded to the proper state and federal authorities (37 Tex. Admin. Code § 265.6). Fingerprinting will be done by Denton County.

900.5 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return (37 Tex. Admin. Code § 267.5). If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Supervisor shall attempt to prove or disprove the claim.

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900.6 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures. Members should also be licensed by the Texas Commission on Law Enforcement (TCOLE) (37 Tex. Admin. Code § 275.2).

Temporary Custody of Juveniles

901.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Lake Dallas ISD Police Department (34 USC § 11133).

901.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for the juvenile's protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 10 to 16 years of age who is alleged to have committed an offense that would subject an adult to arrest, or a 17-year-old in custody for such an offense committed before 17 years of age (a non-status offense) (Tex. Fam. Code § 51.02).

Non-secure custody - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Safety checks - Direct visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when a non-secure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

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- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender (Tex. Fam. Code § 51.02). Examples may include running away and underage possession of tobacco. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This term also includes any juvenile in custody for an offense that would not subject an adult to arrest but qualifies as delinquent conduct or conduct indicating a need for supervision (CINS) under Tex. Fam. Code § 52.01.

901.2 POLICY

The Lake Dallas ISD Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and to keeping juveniles safe while in temporary custody at the Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

901.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at the Lake Dallas ISD Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Emergency Detentions Policy).
 - 1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile exhibiting any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the

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situation. These juveniles should not be held at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

901.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Lake Dallas ISD Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Department (34 USC § 11133).

901.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Lake Dallas ISD Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

901.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation (where applicable), court referral, or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

Officers who take a juvenile into temporary custody for violation of compulsory school attendance may return the juvenile to his/her school (Tex. Fam. Code § 52.01).

901.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Lake Dallas ISD Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody under the authority of a juvenile court order for a criminal offense or when the juvenile has committed an offense that would subject an adult to arrest (Tex. Fam. Code § 52.01).

Once a juvenile offender has been taken into custody, the officer may transport the juvenile to a juvenile processing office so that a determination can be made to do one of the following, as appropriate under the circumstances, without unnecessary delay (Tex. Fam. Code § 52.02):

- (a) Release the juvenile to a parent, guardian, custodian or other responsible adult on that person's promise to bring the juvenile to court on request.

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1. In cases of Class C misdemeanors occurring on school property or any vehicle owned by the school, a citation may not be issued but officers may proceed, according to Tex. Educ. Code § 37.145 or Tex. Code of Crim. Pro. art. 45.058, as applicable.
- (b) Transport the juvenile to one of the following:
 1. An office, official or facility designated by the county juvenile board
 2. A secure detention facility as provided by Tex. Fam. Code § 51.12(j)
 3. A medical facility if the juvenile is believed to suffer from a serious physical condition or illness that requires prompt treatment
 4. The juvenile's school, if in session, if a designated authority at the location will assume responsibility for the juvenile for the remainder of the school day
- (c) Release the juvenile without court referral under county juvenile board guidelines (Tex. Fam. Code § 52.03).

Officers taking a juvenile into custody for an alleged offense shall ensure the case is referred to the juvenile court unless another disposition is authorized under county juvenile board guidelines, and the custody was properly documented (Tex. Fam. Code § 52.03).

901.4.4 JUVENILE PROCESSING OFFICE

A juvenile processing office is restricted to facilitating (Tex. Fam. Code § 52.025):

- (a) Return of the juvenile to the custody of a parent, guardian, custodian or other responsible adult upon that person's promise to bring the juvenile to court as requested.
- (b) Completion of essential forms and records required by the juvenile court or the Texas Family Code.
- (c) Photographing and fingerprinting, when authorized by law.
- (d) Issuance of warnings as required or permitted by law.
- (e) Receipt of a statement by the juvenile in accordance with Tex. Fam. Code § 51.095.

While in a juvenile processing office, the juvenile is entitled to be accompanied by a parent, has the right to communicate privately with his/her parent and should be kept separated depending on the status of the juvenile (i.e., non-offender, status offender, juvenile offender) (Tex. Fam. Code § 52.025; Tex. Fam. Code § 61.103; Tex. Code of Crim. Pro. art. 45.058).

901.4.5 NOTIFICATION TO PROBATE COURT

Officers should make a reasonable attempt to determine whether a juvenile who has been taken into custody pursuant to Tex. Fam. Code § 52.01(a)(2) or (3) is a juvenile for whom a guardian has been appointed (i.e., ward of the state) and notify the probate court with jurisdiction over the juvenile's guardianship as soon as practicable but no later than one business day after taking the juvenile into custody (Tex. Fam. Code § 52.011).

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901.5 ADVISEMENTS

Officers who take a juvenile into custody shall promptly advise the juvenile's parent, guardian or custodian, as well as the office or official designated by the county juvenile board, of the reason for taking the juvenile into custody (Tex. Fam. Code § 52.02).

901.6 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Lake Dallas ISD Police Department (34 USC § 11133). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

901.7 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Lake Dallas ISD Police Department shall ensure:

- (a) The Supervisor is notified if it is anticipated that a juvenile may need to remain at the Department more than four hours. This will enable the Supervisor to ensure no juvenile is held at the Department more than six hours.
- (b) Safety checks and significant incidents/activities are noted on the log.
- (c) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (d) A member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (e) There is reasonable access to toilets and wash basins.
- (f) There is reasonable access to a drinking fountain or water.
- (g) Food is provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (i) There is privacy during family, guardian and/or attorney visits.

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- (j) Juveniles are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (l) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (m) Adequate furnishings are available, including suitable chairs or benches.
- (n) Juveniles have the right to the same number of telephone calls as adults in temporary custody (see the Temporary Custody of Adults Policy).
- (o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

901.8 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Lake Dallas ISD Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

901.8.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

901.9 PERSONAL PROPERTY

The personal property of a juvenile shall be kept secure until released to a parent or juvenile detention center staff.

901.10 INTERVIEWING OR INTERROGATING

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

Officers may obtain a written, oral or recorded statement from a juvenile in custody if the applicable procedural safeguards are followed (Tex. Fam. Code § 51.095).

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901.11 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

Juveniles in temporary custody may be fingerprinted or photographed as follows (Tex. Fam. Code § 58.002; Tex. Fam. Code § 58.0021; Tex. Fam. Code § 58.0022):

- (a) For a felony offense or a Class B misdemeanor or above
- (b) When an officer has probable cause to believe both that the juvenile has engaged in delinquent conduct and:
 - 1. That fingerprints discovered during the investigation of that conduct will match those of the juvenile
 - 2. That a photograph of the juvenile will be of material assistance in the investigation of that conduct
- (c) When the juvenile is a runaway, when it is necessary to identify the juvenile

Photographs and fingerprints obtained pursuant to Tex. Fam. Code § 58.0021 must be obtained at a juvenile processing office or at any other location that affords reasonable privacy to the juvenile and must be destroyed if they do not lead to a positive comparison or identification.

901.12 REQUIRED SCHOOL NOTIFICATION

An officer who arrests any person for any felony or any misdemeanor listed in Tex. Code of Crim. Pro. art. 15.27, or who refers a juvenile to the agency designated by the juvenile board, shall attempt to determine the person's school enrollment status and advise the appropriate school official of the arrest or referral within 24 hours or before the next school day, whichever is earliest.

Within seven days of the officer's initial notice to the school, the Administration shall mail the required notice, including details of the arrest or referral as required by Tex. Code of Crim. Pro. art. 15.27, to the designated school official.

901.13 TRAINING

Department members should be trained on and familiar with this policy and any supplemental procedures.

Custodial Searches

902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Lake Dallas ISD Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

902.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

902.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

902.4 TRAINING

The Police Chief shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.

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- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

902.5 JUVENILES

No juvenile should be subjected to a strip search or a physical body cavity search at the Department.

The Chief of Police or the authorized designee should establish procedures for the following:

- (a) Safely transporting a juvenile who is suspected of concealing a weapon or contraband, or who may be experiencing a medical issue related to such concealment, to a medical facility or juvenile detention facility as appropriate in the given circumstances.
 - 1. Procedures should include keeping a juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.
- (b) Providing officers with information identifying appropriate medical and juvenile detention facilities to which a juvenile should be transported for a strip or body cavity search.

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).

Transporting Detainees

903.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Lake Dallas ISD Police Department.

Additional guidance can be found in the Medical Aid and Response Policy.

903.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to make reasonable efforts to protect the safety of persons in custody while they are being transported.

903.3 RESPONSIBILITIES

The Chief of Police or designee is responsible for reviewing the safety and restraint systems for all vehicles used to transport persons in custody. The review shall ensure the restraint systems comply with the law and shall determine whether they reasonably meet the needs of the Department. Safety systems should allow for transporting members to be in constant and reasonably clear audio contact with each person being transported.

The Chief of Police or designee should establish related procedures for safely transporting persons who have their legs restrained in some manner other than leg shackles.

903.4 PROCEDURES

Members transporting a person in custody should ensure:

- (a) All persons are properly restrained by a seat belt or other approved safety restraint system.
- (b) All persons in custody remain in a seated or otherwise safely restrained position in the rear of the vehicle.
- (c) Any person behaving in a manner so violent or uncooperative that he/she cannot or will not sit upright is:
 - 1. Reviewed for a medical condition by an emergency medical services provider and if a medical condition exists, transported by ambulance for a medical examination.
 - (a) If no medical condition exists or an ambulance is unavailable or unwilling to transport the prisoner, alternative transportation should be arranged (e.g., special transport van).
- (d) Any items removed from an arrestee prior to transport are securely maintained and returned to the arrestee or the booking officers upon arrival at the booking facility.
- (e) A verbal welfare check is made with a person in custody every 10 minutes.
 - (a) Officers should ask an apparently ill person if the ill person requires medical attention. If a person being transported is not responsive or indicates a medical

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condition, the transporting member should advise dispatch and render aid as soon as practicable (see the Medical Aid and Response Policy).

- (b) If a person is injured or becomes sick before, during, or after an arrest, the officer shall seek medical attention immediately in accordance with the [accompanying procedure](#).
 - (a) Medical attention shall be obtained before transporting the arrestee to the jail if the injury or sickness occurs before arriving at the jail.
- (c) Special conditions (e.g., suicidal persons, persons wearing a spit hood) may require closer observations or visual monitoring as indicated in other parts of this policy and in the Handcuffing and Restraints and Temporary Custody of Adults policies.
- (f) All areas of the vehicle accessible to a person in custody are searched before and after each transport.
- (g) A person in custody is searched immediately after his/her arrest, before transport in any department vehicle, after transportation and any time another person assumes custody.
 - 1. Whenever practicable, the search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
- (h) Transport is accomplished in a direct and timely manner.
- (i) The same consideration is shown to a person in custody as would be reasonably shown to any other passenger (e.g., avoiding loud or objectionable music, excessive heat or cooling).
- (j) The manner in which a person is being transported is not used as a form of punishment or retaliation.
- (k) Persons suspected of having a communicable disease are transported in compliance with the exposure control plan.
- (l) Persons in custody are transported individually when practical, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances:
 - 1. Juveniles are not to be transported with adults.
 - 2. Females are not to be transported with males. When possible, transgender or intersex persons should be transported with persons of the gender they identify with.
 - 3. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, are not to be transported together.
- (m) Dispatch is advised of the following:
 - 1. The time when a transport begins and the vehicle's mileage.
 - 2. The time, vehicle's mileage and reason for any stops.

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3. The time of arrival at the destination and the vehicle's mileage.
- (n) Reasonable efforts are made to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
- (o) Direct visual observation and audio communication is provided during transport of:
 1. Individuals in auxiliary restraints (see the Handcuffing and Restraints Policy).
 2. Individuals in leg restraints.
 3. Individuals wearing a spit hood.
 4. Individuals who are a suspected suicide risk.
- (p) The transporting officer shall not allow arrestees to communicate with other people in transit unless, in the judgment of the officer, the situation requires it.
- (q) Under no circumstances will a person be handcuffed to a part of the transport vehicle such as the floor post or protective screen barrier.

903.4.1 POSITIONING OF ARRESTEES IN THE TRANSPORT VEHICLE

When an officer transports an arrestee in a caged vehicle, the arrestee shall be positioned in the rear passenger side seat and secured with a seat belt. Arrestees shall be handcuffed with their hands behind their backs, palms outward.

When a single officer transports a prisoner in a non-caged vehicle, the arrestee shall be placed in the right front seat and secured with a seatbelt. The arrestee shall be handcuffed with hands behind the back, palms outward.

A single officer shall not transport two or more suspects in a non-caged vehicle unless directed to do so by the on-duty supervisor.

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 arrestee on the passenger side with the seat belt fastened.
- (b) When more than one arrestee is transported by two officers in the same vehicle, the arrestees 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 arrestees at all times.

903.4.2 TRANSPORTING PERSONS WITH DISABILITIES

When transporting a person with a disability, a transporting member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member may request the dispatcher to contact the fire department or ambulance for assistance in transporting the person. The transporting member should ensure that any special equipment, (e.g., canes, wheelchairs or prosthetics) and medications are transported in such a manner to not threaten the

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safety or security of the person or member and that such equipment is transported to the person's destination.

Members transporting a person with a disability should use their judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety and dignity of all persons.

903.5 PROHIBITIONS

When transporting a person in custody members should not:

- (a) Leave the vehicle unattended with the person in the vehicle.
- (b) Stop to conduct any personal activities.
- (c) Respond to calls or engage in other enforcement activities except in exigent circumstances.
 - 1. Exigent circumstances are:
 - (a) A need exists for the transporting officer to act immediately to stop or prevent a violent act and prevent further harm to a victim.
 - (b) A person has been injured and requires immediate assistance.
 - 2. The transporting officer shall ensure that the arrestee is secured and protected at all times if engaging in the above activities.
- (d) Engage in a pursuit.
- (e) Transport a person in a prone position in a police vehicle, as this increases risk of medical complications.
- (f) Transport persons in a vehicle that is not equipped to safely transport prisoners except in an emergency. A properly equipped vehicle should be requested.
 - 1. All persons shall be transported in a secure, caged vehicle unless such a vehicle is not available.
- (g) Drive in a manner intentionally designed to punish or make the person uncomfortable.

903.6 ESCAPES

In the event that a person in custody escapes while being transported, the member transporting the person should immediately advise dispatch and other units of the escape, providing:

- (a) Location
- (b) Direction of travel
- (c) Name and physical a description of the escapee
- (d) Possible weapons possess by the escapee
- (e) Pending charges

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The member should try to recapture the escapee as soon as possible. The member should also notify the Supervisor and submit a written report as soon as practicable describing the circumstances of the escape and any recapture.

The Supervisor should review the report submitted by the transporting member, investigate the circumstances surrounding the escape and submit as soon as practicable.

903.7 NOTIFICATIONS

Members should notify a supervisor and any receiving facility of information regarding any circumstances the member reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

903.8 DOCUMENTATION

Members should document, in the appropriate report, when a person is injured during transportation. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other prisoners). Any visible injuries should be photographed and included with the report.

903.9 TRAINING

The Chief of Police or designee should ensure that members receive training on detainee transportation policies and procedures, restraint systems and restraint devices.

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Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Lake Dallas ISD Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Lake Dallas ISD Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Administration Sergeant shall employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy shall include:

- (a) Establishment of a written recruitment plan.
 - 1. The plan shall include an outline of steps for recruiting candidates who are representative of the community. This should include candidates who live in or are from the community, if appropriate and consistent with applicable laws and memorandums of understanding or collective bargaining agreements.
- (b) Identification of racially and culturally diverse target markets.
- (c) Use of marketing strategies to target diverse applicant pools.
- (d) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (e) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (f) Employee referral and recruitment incentive programs.
- (g) Consideration of shared or collaborative regional testing processes.

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The Administration Sergeant shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of their status in the recruiting process.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following (Tex. Occ. Code § 1701.451):

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Personal and professional reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
 - 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Medical and psychological examination (may only be given after a conditional offer of employment)
- (i) Review board or selection committee assessment
- (j) Relevant national and state decertification records, if available
- (k) Any relevant information in the National Law Enforcement Accountability Database

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify their personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Lake Dallas ISD Police Department.

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The background investigation shall comply with the requirements of Tex. Occ. Code § 1701.303 and Tex. Occ. Code § 1701.451.

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Sergeant should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Administration Sergeant should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administration Sergeant should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.5 ADDITIONAL REQUIREMENTS

It will be the joint responsibility of an investigator assigned to a background investigation and the Administration supervisor to ensure compliance with Texas Commission on Law Enforcement (TCOLE) mandates concerning completion of the background investigation and a request for peace officer licensing reports (37 Tex. Admin. Code § 217.7).

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1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by Texas law, including:

- (a) The minimum standards for initial licensure by the TCOLE (37 Tex. Admin. Code § 217.1).
- (b) Must not have violated any TCOLE rule or provision that would disqualify their appointment (Tex. Occ. Code § 1701.301 et seq.).
- (c) Pass a pre-employment background investigation that meets or exceeds the TCOLE-developed questionnaire/history statement (37 Tex. Admin. Code § 217.7).

1000.8 PROBATIONARY PERIODS

The Administration Sergeant should coordinate with the Lake Dallas ISD Department of Human Resources to identify positions subject to probationary periods and procedures for:

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- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

1000.8.1 PROBATIONARY PERIODS FOR PEACE OFFICERS

Officers hired by the Lake Dallas ISD Police Department for a beginning position must serve a probationary period of one year, beginning on the officer's date of employment, unless otherwise extended by the civil service commission (Tex. Local Gov't Code § 143.027).

Performance Evaluations

1001.1 PURPOSE AND SCOPE

This policy provides guidelines for the Lake Dallas ISD Police Department performance evaluation system.

1001.2 POLICY

The Lake Dallas ISD Police Department shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 TYPES OF EVALUATIONS

The Department shall use the following types of evaluations:

Regular - An evaluation completed at regular intervals by the employee's immediate supervisor. Employees who have been promoted should be evaluated as established by the Department of Human Resources or, minimally, on the anniversary of the date of the last promotion.

When an employee transfers to a different assignment in the middle of an evaluation period and less than six months has transpired since the transfer, the evaluation should be completed by the current supervisor with input from the previous supervisor.

Special - An evaluation that may be completed at any time the supervisor and Sergeant or the authorized designee determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

1001.3.1 RATINGS

When completing an evaluation, the supervisor will identify the rating category that best describes the employee's performance. The definition of each rating category is as follows:

Outstanding - Performance is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

Exceeds standards - Performance is better than demonstrated by a competent employee. It is performance superior to what is required, but is not of such nature to warrant a rating of outstanding.

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Meets standards - Performance of a competent employee. It is satisfactory performance that meets the standards required of the position.

Needs improvement - Performance is less than the standards required of the position. A needs improvement rating shall be thoroughly discussed with the employee.

Unsatisfactory - Performance is inferior to the standards required of the position. It is inadequate or undesirable performance that cannot be allowed to continue.

Supervisor comments may be included in the evaluation to document the employee's strengths, weaknesses and requirements for improvement. Any job dimension rating marked as unsatisfactory or outstanding shall be substantiated with supervisor comments.

1001.3.2 PERFORMANCE IMPROVEMENT PLAN

Employees who receive an unsatisfactory rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review his/her performance and the status of the PIP at least monthly.

1001.4 EVALUATION PROCESS

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance and the evaluation criteria with each employee.

Performance evaluations cover a specific period and should be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

Non-probationary employees demonstrating substandard performance shall be notified in writing as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

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1001.5 EVALUATION FREQUENCY

Supervisors shall ensure that all employees they supervise are evaluated at least once every year on the anniversary of the employee's date of appointment or hire.

Those employees who are required to successfully complete a probationary period should be evaluated monthly.

1001.6 EVALUATION INTERVIEW

When the supervisor has completed his/her evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

Employees may write comments in an identified section of the evaluation. The supervisor and employee will sign and date the evaluation.

1001.6.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the supervisor shall provide access to and require the employee to read the District harassment and discrimination policies and the Lake Dallas ISD Police Department Discriminatory Harassment Policy. The supervisor shall give the employee a form to be completed and returned that acknowledges the following:

- (a) The employee understands the harassment and discrimination policies.
- (b) The employee has had all questions regarding the policies sufficiently addressed.
- (c) The employee knows how to report alleged harassment and discrimination policy violations.
- (d) Whether the employee has been the subject of, or witness to, any unreported conduct that may violate the discrimination or harassment policies.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall ensure that appropriate follow-up action is taken.

1001.7 APPEAL

An employee who disagrees with his/her evaluation may provide a formal written response that will be attached to the evaluation, or may request an appeal.

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To request an appeal, the employee shall forward a written memorandum within three days to the evaluating supervisor's Sergeant or the authorized designee. The memorandum shall identify the specific basis for the appeal and include any relevant information for the reviewer to consider.

1001.8 CHAIN OF REVIEW

The signed performance evaluation and any employee attachment should be forwarded to the evaluating supervisor's Sergeant or the authorized designee. The Sergeant or the authorized designee shall review the evaluation for fairness, impartiality, uniformity and consistency, and shall consider any written response or appeal made by the employee.

The Sergeant or the authorized designee should evaluate the supervisor on the quality of ratings given.

1001.9 RETENTION AND DISTRIBUTION

The original performance evaluation and any original correspondence related to an appeal shall be maintained by the Department in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee and also forwarded to the Lake Dallas ISD Department of Human Resources.

Grievances

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Lake Dallas ISD Police Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

1002.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance. Members should follow the Lake Dallas ISD board approved policy regarding Personnel-Management Relations: Employee Complaints/Grievances DGBA(LOCAL).

Anti-Retaliation

1003.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance or collective bargaining agreement or memorandum of understanding.

1003.2 POLICY

The Lake Dallas ISD Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1003.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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1003.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the District Director of Human Resources. 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. 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.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1003.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

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- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

1003.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1003.7 WHISTLE-BLOWING

Texas law protects employees who make a good-faith report of a violation of law by the Department or another employee to the appropriate law enforcement authority (Tex. Gov't Code § 554.002). Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.

1003.8 RECORDS RETENTION AND RELEASE

The Police Chief shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1003.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions and Court Orders

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions and court orders restrict their ability to perform the official duties and responsibilities of the Lake Dallas ISD Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

1004.2 POLICY

The Lake Dallas ISD Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

1004.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

Federal and Texas law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Tex. Penal Code § 46.04).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.4 REPORTING

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Supervisor or the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Supervisor or the Chief of Police) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of applicable Texas Commission on Law Enforcement (TCOLE) license.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/

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or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officers may have their identification cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

1004.4.1 DEPARTMENT NOTIFICATION REQUIREMENTS

The Chief of Police or designee must notify TCOLE within 30 days in the following circumstances (37 Tex. Admin. Code § 211.28; 37 Tex. Admin. Code § 211.29):

- (a) When a person who holds a license issued by TCOLE is arrested for or charged with a reportable offense by this department.
- (b) When any person who is under appointment with this department is arrested for, charged with or convicted of a reportable offense.

1004.4.2 MEMBER NOTIFICATION REQUIREMENTS

Members licensed by TCOLE who are arrested for, charged with or indicted for a reportable offense must report it to TCOLE within 30 days (37 Tex. Admin. Code § 211.27).

Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1005.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Supervisor or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1005.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

1005.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action.

1005.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

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Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1005.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1005.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of his/her duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of his/her duties and becomes involved in an incident that results in bodily injury, death or substantial damage to property.

1005.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.

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- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1005.7.2 DISCIPLINE

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

1005.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1005.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

Leave

1006.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of leave.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) or for a line-of-duty related illness or injury (Tex. Local Gov't Code § 177A.001 et seq.).

1006.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to follow the Lake Dallas ISD Board policy regarding leave [DEC\(LOCAL\)](#).

1006.3 MENTAL HEALTH LEAVE FOR PEACE OFFICERS

The Lake Dallas ISD has adopted a mental health leave for peace officers. Procedures can be located at local Board policy [DEC\(LOCAL\)](#).

Personnel Complaints

1007.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Lake Dallas ISD Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1007.2 POLICY

The Lake Dallas ISD Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements or memorandum of understanding.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1007.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1007.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1007.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1007.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

The Lake Dallas ISD Police Department shall publish "How to Make a Complaint" folders and make them available in the Lake Dallas ISD Department of Human Resources. The police department's complaint process will be posted on the department's website. The information shall include, but is not limited to, the email address, physical address, and telephone contact information for making a complaint against an employee. Whenever possible, the media will be used to inform the public of the department's complaint process.

1007.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other District facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1007.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member, documented, and promptly given to the Chief of Police. Officers shall provide information on the complaint process and provide copies of "How to Make a Complaint" when requested or when it is reasonable to do so. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

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1007.4.3 ACCEPTANCE OF COMPLAINTS AGAINST PEACE OFFICER

Complaints against an officer must be in writing and signed by the person making the complaint (Tex. Gov't Code § 614.022). Nothing in this section is intended to preclude a supervisor from serving as the complainant to satisfy the requirements of Tex. Gov't Code § 614.022 if the original complainant does not want to appear in person and/or reduce the complaint to writing.

1007.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1007.5.1 COPY OF COMPLAINT TO PEACE OFFICER

If the complaint is against an officer, the receiving supervisor shall ensure that a copy of the signed complaint form is given to the officer within a reasonable time after it is filed (Tex. Gov't Code § 614.023).

1007.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1007.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 1. The original complaint form will be directed to the Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Sergeant or the Chief of Police, who will initiate appropriate action.

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- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Supervisor and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Supervisor for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1007.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Lake Dallas ISD Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.

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- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

1007.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

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Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1007.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1007.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

1007.6.6 COMPLETION OF INVESTIGATIONS

In order to meet the 180-day limit under Tex. Local Gov't Code § 143.052, every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct should proceed with due diligence in an effort to complete the investigation within 150 days from the date of discovery by an individual authorized to initiate an investigation.

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1007.6.7 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1007.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1007.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1007.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Lake Dallas ISD Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1007.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and

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include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1007.10.1 MEMBER'S IMMEDIATE SUPERVISOR RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the immediate supervisor of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The member's immediate supervisor may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the member's immediate supervisor may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the member's immediate supervisor shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1007.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Sergeant for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

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1007.10.3 SUSPENSIONS AND DEMOTIONS

Upon decision to suspend or demote an officer, the Chief of Police must file a written statement with the commission that includes the reasons for the suspension or demotion. If the disciplinary action is a suspension, the statement must be forwarded to the commission within 120 hours of the suspension. A copy of the written statement must be provided to the officer and include information regarding the officer's appeal rights, each specific rule violated and each alleged act committed by the officer in violation of the commission rules (Tex. Local Gov't Code § 143.052; Tex. Local Gov't Code § 143.054).

1007.10.4 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1007.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1007.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1007.13 POST-DISCIPLINE APPEAL RIGHTS

An officer who has been suspended may appeal the suspension to the commission in accordance with Tex. Local Gov't Code § 143.053 or to a third party hearing examiner in accordance with Tex. Local Gov't Code § 143.057.

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1007.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

1007.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Seat Belts

1008.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 (Tex. Transp. Code § 545.412).

1008.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1008.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained (Tex. Transp. Code § 545.413).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

When approaching an incident scene or a call where an officer believes that a rapid exit from the vehicle may be required, the officer may release his or her seat belt.

1008.4 TRANSPORTING CHILDREN

All children younger than 8 years of age shall be transported using a child restraint system unless the child is taller than 4 feet 9 inches (Tex. Transp. Code § 545.412).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side air bag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

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1008.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1008.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1008.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1008.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1009.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

1009.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1009.3 ISSUANCE

The Chief of Police shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Lake Dallas ISD Police Department and shall be replaced in accordance with manufacturer recommendations or when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1009.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Members shall wear body armor when working in uniform and may wear it while taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
 - 1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

1009.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

Annual inspections of body armor should be conducted by a person trained to perform the inspection for fit, cleanliness and signs of damage, abuse and wear.

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1009.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
 - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
 - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
 - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
 - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.

1009.4 RANGEMASTER RESPONSIBILITIES

The responsibilities of the Rangemaster include, but are not limited to:

- (a) Monitoring technological advances in the body armor industry for any appropriate changes to department-approved body armor.
- (b) Assessing the level of weapons and ammunition currently utilized by the public and the suitability of approved body armor to protect against those threats.
- (c) Educating officers about the safety benefits of wearing body armor.

Personnel Records

1010.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1010.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Texas.

1010.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
 - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days.
 - 2. Any member response shall be attached to and retained with the original adverse comment.
 - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.
- (i) All required Texas Commission on Law Enforcement (TCOLE) documents.

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1010.4 SUPERVISORY FILE

Supervisory files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The supervisory file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1010.5 TRAINING FILE

An individual training file shall be maintained by the Police Chief for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Police Chief or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Police Chief or supervisor shall ensure that copies of such training records are placed in the member's training file.

1010.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Professional Standards Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Professional Standards Unit supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

1010.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.

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- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1010.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures, state law or with the member's consent (Tex. Gov't Code 552.102; Tex. Gov't Code 552.1175).

Nothing in this policy is intended to preclude review of personnel records by the Superintendent, District Attorney or other attorneys or representatives of the District in connection with official business.

1010.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1010.8.2 RELEASE OF PERSONNEL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any employee personnel file may be released if the disclosure would constitute a clearly unwarranted invasion of personal privacy, or would subject the employee to a substantial threat of physical harm. All information in the employee personnel file is to be made available to the employee or the employee's designated representative as public information (Tex. Gov't Code § 552.102; Tex. Gov't Code § 552.152).

1010.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files (Tex. Gov't Code § 552.023). Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request

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and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1010.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of

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such matter may be destroyed in accordance with the established records retention schedule.

Request for Change of Assignment

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for department members to request a change of assignment in response to an announced vacancy.

1011.2 POLICY

It is the policy of the Lake Dallas ISD Police Department that all requests for change of assignment be considered in an equitable and nondiscriminatory manner.

1011.3 REQUEST FOR CHANGE OF ASSIGNMENT

Members requesting a change of assignment shall submit a request document through the chain of command to the Chief of Police.

The change of assignment request document provides members with the opportunity to list their qualifications for specific assignments. It should include:

- (a) The member's relevant experience, education and training.
- (b) All assignments in which the member is interested.

The document will remain in effect until the end of the calendar year in which it was submitted. Effective January 1 of each year, members still interested in a change of assignment should complete and submit a new request.

Commendations and Awards

1012.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Lake Dallas ISD Police Department and individuals from the community.

1012.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1012.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1012.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1012.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
 1. For members of the Department - name and assignment at the date and time of the meritorious or commendable act
 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

1012.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
 1. For members of the Department - name and assignment at the date and time of the meritorious or commendable act

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2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the person submitting the documentation.

1012.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the Chief of Police for his/her review. The Chief of Police should sign and forward the documentation to the Superintendent for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Chief of Police. The documentation will be signed by the Chief of Police and forwarded to the Superintendent for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1012.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- Award of Valor.
- Award of Merit.
- Lifesaving Award.
- Meritorious Conduct.
- Additional awards as determined by the Chief of Police.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.

1012.5.1 STAR OF TEXAS AWARD

The Department will submit information as appropriate to the committee charged with issuing the Peace Officers' Star of Texas Award when a member has been killed or seriously injured in the line of duty. Submission of information regarding a citizen who is seriously injured or killed while aiding or attempting to aid an officer will also be considered (Tex. Gov't Code § 3106.007).

Fitness for Duty

1013.1 PURPOSE AND SCOPE

Monitoring members' medical and psychological fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain medically and psychologically fit for duty and able to perform their job functions.

1013.1.1 DEFINITIONS

Definitions related to this policy include:

Fitness-for-duty evaluation - A formal, specialized examination to determine if a member is able to safely and/or effectively perform essential job functions. The need for such evaluation should be based on objective evidence that the member may be unable to effectively perform a defined job function and a reasonable basis that the cause may be attributable to a medical and/or psychological condition or impairment (37 Tex. Admin. Code § 211.1).

TCOLE - Texas Commission on Law Enforcement

1013.2 POLICY

The Lake Dallas ISD Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine their ability to perform essential functions.

1013.3 MEMBER RESPONSIBILITIES

It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of their position.

During working hours, all members are required to be alert, attentive, and capable of performing their assigned responsibilities.

Any member who feels unable to perform their duties shall promptly notify a supervisor. In the event that a member believes that another department member is unable to perform their duties, such observations and/or belief shall be promptly reported to a supervisor.

1013.4 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform their duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility, or oppositional behavior.

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- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior, or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

1013.4.1 REPORTING

A supervisor observing a member, or receiving a report of a member, who is perceived to be unable to safely or effectively perform their duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document their observations and actions in a written report and inform the Supervisor or the member's Sergeant.

1013.4.2 DUTY STATUS

In conjunction with the Supervisor or the member's Sergeant, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of their job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that there is just cause to believe the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of their job, the Supervisor or the member's Sergeant should immediately relieve the member of duty pending further evaluation.

Members relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Chief of Police shall be promptly notified in the event that any member is relieved of duty.

1013.5 FITNESS-FOR-DUTY EVALUATIONS

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty.

1013.5.1 PROCESS FOR CIVILIAN MEMBERS

The Chief of Police, in cooperation with the Department of Human Resources, may order the civilian member to undergo a fitness-for-duty evaluation whenever a question arises as to whether the member is medically or psychologically fit to continue in their duties. The evaluation shall

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be conducted by the member's personal physician, psychiatrist, or psychologist, as required by department policy.

To facilitate the evaluation of any member, the Department will provide all appropriate documents and available information to the person or entity responsible for conducting the examination.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the report should include the existing restrictions or conditions.

A second evaluation may be ordered if the member or Chief of Police questions the practitioner's report. The evaluation will be conducted by a physician, psychiatrist, or psychologist appointed by the Chief of Police. If the report of the appointed practitioner disagrees with the report of the initial practitioner, the final determination as to the member's fitness shall be decided in accordance with applicable laws, provisions of collective bargaining, meet and confer, other agreements, or policies.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Department of Human Resources.

1013.5.2 THRESHOLD CONSIDERATIONS

Referring a member for a fitness-for-duty evaluation is indicated whenever there is an objective and reasonable basis for believing that the member, as a result of a medical or psychological condition or impairment (37 Tex. Admin. Code § 211.29):

- (a) May be unable to perform one or more essential job functions.
- (b) Poses a direct threat to themselves or others.

An objective basis is one that is not merely speculative but derives from direct observation or other reliable evidence.

When deciding whether to order a fitness-for-duty evaluation, the Chief of Police should consider the potential usefulness and appropriateness of the evaluation given the specific circumstances and whether other remedies (e.g., education, training) are appropriate.

1013.5.3 PROCESS FOR PEACE OFFICERS

The Chief of Police, in cooperation with the Department of Human Resources, may order an officer to undergo a fitness-for-duty evaluation whenever a question arises as to whether the officer is physically or mentally fit to continue in their duties. The evaluation shall be conducted by the

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officer's personal physician, psychiatrist, or psychologist, as appropriate and in accordance with applicable laws, provisions of collective bargaining, meet and confer, other agreements, or policies (Tex. Local Gov't Code § 143.081; Tex. Local Gov't Code § 143.1115).

The Chief of Police shall provide written notice of the evaluation to the officer not later than the tenth business day before the deadline to submit to the evaluation. Written notice shall include the reasons for the evaluation.

To facilitate the evaluation of any member, the Department will provide all appropriate documents and available information to the person or entity responsible for conducting the examination.

The examining practitioner will provide the Department with a report indicating whether the officer is fit for duty. If the officer is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

A second evaluation may be ordered by the appropriate authority if the officer, the civil service commission, or the Chief of Police questions the practitioner's report. The evaluation will be conducted by a physician, psychiatrist, or psychologist appointed in accordance with the procedure adopted by the governing body. If the report of the appointed practitioner disagrees with the report of the initial practitioner, the final determination as to the officer's fitness shall be decided in accordance with applicable laws, provisions of collective bargaining, meet and confer, other agreements, or policies.

All reports and evaluations submitted by the examining practitioner shall be part of the officer's confidential medical file.

Any officer ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the officer to discipline, up to and including termination.

Determinations regarding duty status of officers who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Department of Human Resources.

1013.5.4 TCOLE NOTIFICATION

The Chief of Police or the authorized designee shall notify the TCOLE upon a final determination that an officer is unable to effectively perform essential job functions unless the officer submits to and successfully completes an applicable treatment program within a reasonable time. This notification shall be in writing and submitted to TCOLE within 30 days of the final determination that the officer is unable to effectively perform essential job functions.

The Chief of Police or the authorized designee shall notify TCOLE if an officer fails to submit to an evaluation within the deadline set by the Department. This notification shall be in writing and submitted to TCOLE within 30 days after the deadline set by the Department has expired.

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The Chief of Police or the authorized designee shall notify TCOLE as soon as practicable if an officer reported as having refused an evaluation has completed the required evaluation or the officer's circumstances have been successfully resolved.

1013.6 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hours) period.
- 30 hours in any two-day (48 hours) period.
- 84 hours in any seven-day (168 hours) period.

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime, and any other work assignments.

1013.7 APPEALS

Members disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.

Lactation Breaks

1014.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child (Tex. Gov't Code § 619.003).

1014.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for the member's infant nursing child (29 USC § 218d; 25 Tex. Admin. Code § 31.1).

1014.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 218d; Tex. Gov't Code § 619.004). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the communications operator or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1014.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 218d; Tex. Health & Safety Code § 165.003; Tex. Gov't Code § 619.004).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

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1014.5 STORAGE OF EXPRESSED MILK

A member shall be provided with access to a hygienic storage area for the member's expressed milk. Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends (Tex. Health and Safety Code § 165.003).

Overtime Compensation

1015.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

1015.2 POLICY

The Lake Dallas ISD Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

1015.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(k)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

1015.4 REQUESTS FOR OVERTIME COMPENSATION

1015.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

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1015.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
 - 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 - 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.

Supervisors may not authorize or approve their own overtime.

1015.5 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations. Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

Outside Employment and Outside Overtime

1016.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

Outside overtime - Duties or services performed by members of this department for a private organization, entity or individual, that are requested and scheduled directly through the Department. Member compensation, benefits and costs for such outside services are reimbursed to the Department.

1016.2 POLICY

Members of the Lake Dallas ISD Police Department shall obtain written approval from the Chief of Police or the authorized designee prior to engaging in any outside employment or outside overtime. Approval of outside employment or overtime shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or overtime, or engaging in outside employment or overtime that is prohibited by this policy, may lead to disciplinary action.

1016.3 OUTSIDE EMPLOYMENT

1016.3.1 REQUEST AND APPROVAL

Members must submit the designated outside employment request form to their immediate supervisors. The request form will then be forwarded through the chain of command to the Chief of Police for consideration.

If approved, the member will be provided with a copy of the approved request form. Unless otherwise indicated in writing on the request form, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Members seeking to continue outside employment must submit a new request form at the start of each calendar year.

1016.3.2 DENIAL

Any member whose request for outside employment has been denied should be provided with a written notification of the reason at the time of the denial.

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1016.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with department policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or District.

1016.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may file a written notice of appeal with the Chief of Police within 10 days of receiving notice of the denial, revocation or suspension.

A revocation or suspension will only be implemented after the member has completed the appeal process.

If the member's appeal is denied, he/she may file a grievance as provided in the Grievances Policy.

1016.4 REQUIREMENTS

1016.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment or supplies.
- (b) The use of the Lake Dallas ISD Police Department badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment, appointment or as a part of his/her regular duties.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of his/her duties for this department deficient or substandard.

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- (f) Activities that may conflict with any other policy or rule of the Department.

1016.4.2 SECURITY AND LAW ENFORCEMENT OFFICER OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment as a law enforcement officer, private security guard, private investigator or other similar private security position.

1016.4.3 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

1016.4.4 REVIEW OF FINANCIAL RECORDS

Prior to approving outside employment, the Department may request that a member provide his/her personal financial records for review if the Chief of Police determines that a conflict of interest may exist. Failure or refusal by the member to provide such records may result in denial of the outside employment.

If, after approving a request for outside employment, the Department obtains information that a financial conflict of interest exists, the Department may request that the member provide his/her personal financial records for review. Failure or refusal by the member to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

1016.4.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief of Police any material changes in outside employment, including any change in the number of hours, type of duties or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

1016.4.6 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the Chief of Police regarding whether such employment should continue.

In the event that the Chief of Police determines that the outside employment should be discontinued, or if the member fails to promptly notify his/her supervisor of his/her intention

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regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the member and a copy attached to the original outside employment request form.

Criteria for revoking approval due to leave or restricted duty status include, but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the District's medical professional advisers.
- (b) The outside employment requires performance of the same or similar physical ability as would be required of an on-duty member.
- (c) The member's failure to make timely notice of his/her intention to the supervisor.

When the member returns to full duty with the Lake Dallas ISD Police Department, a written request may be submitted to the Chief of Police to approve the outside employment request.

1016.5 OUTSIDE OVERTIME

1016.5.1 REQUESTS FOR SPECIAL SERVICES

Any private organization, entity or individual seeking special services (e.g., security, traffic control) from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such services will be assigned, monitored and compensated through the Department as outside overtime assignments.

- (a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.
- (b) The requester will be required to enter into an agreement that includes indemnification with the Department prior to approval.
- (c) The requester will be required to reimburse the Department for the members' compensation, benefits and costs (e.g., court time) associated with such outside services.
- (d) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:
 - 1. The member shall wear the department uniform and carry department identification.
 - 2. The member shall be subject to the rules and regulations of this department.
 - 3. Compensation for such approved outside overtime shall be pursuant to normal overtime procedures (see the Overtime Compensation Policy).
 - 4. Outside overtime shall not be subject to the collective bargaining process.
- (e) Outside overtime shall be assigned at the discretion of the Chief of Police or the authorized designee.

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1016.5.2 ARREST AND REPORTING PROCEDURE

Any officer making an arrest or taking other official law enforcement action while working in an outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to the Report Preparation Policy. Time spent on the completion of such reports shall be considered part of the outside overtime assignment.

1016.5.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Sergeant, undercover officers or officers assigned to covert operations shall not be eligible to work outside overtime in a uniformed or other capacity that could reasonably disclose the officer's law enforcement status.

Occupational Disease, Work-Related Injury and Death Reporting

1017.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of occupational diseases, work-related injuries and deaths.

1017.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - Any injury or disease that causes damage or harm to the physical structure of the body and that arises out of and in the course and scope of employment with the Lake Dallas ISD Police Department. This includes damage or harm occurring as the result of repetitious, physically traumatic activities (Tex. Labor Code § 401.011).

1017.2 POLICY

The Lake Dallas ISD Police Department will address occupational diseases, work-related injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (Tex. Labor Code § 409.005 et seq.).

1017.3 RESPONSIBILITIES

1017.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours to a supervisor, and shall seek medical care when appropriate.

1017.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational disease should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related District-wide injury- or disease-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1017.3.3 CHIEF OF POLICE RESPONSIBILITIES

When the Chief of Police receives a report of an occupational disease or work-related injury, the Chief of Police should review the report for accuracy and determine what additional action should be taken. The Chief of Police shall forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

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1017.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Chief of Police through the chain of command and a copy sent to the Department of Human Resources.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1017.4.1 FIREARM INJURIES OR DEATHS

If a member is injured or killed by a firearm discharged by another person, the Sergeant shall ensure that reporting required by the Attorney General is submitted (Tex. Code of Crim. Pro. art. 2.1395).

1017.5 FIRST RESPONDER LIAISON ACCESS

Members shall have unrestricted access to contact a first responder liaison at any time regarding their workers' compensation claim (Tex. Labor Code § 404.1525; Tex. Labor Code § 404.153).

Personal Appearance Standards

1018.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Lake Dallas ISD Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

1018.2 POLICY

Lake Dallas ISD Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

1018.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

1018.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkept hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

1018.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

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1018.3.3 FACIAL HAIR

Facial hair is allowed; as long as it is neat and groomed to short crop. Beards must be neatly trimmed and be no longer than .5 inches in length. The Chief of Police shall have final say on approval of facial hair.

1018.3.4 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1018.4 APPEARANCE

1018.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small and worn only in or on the earlobe.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1018.4.2 TATTOOS

Members are approved to have tattoos that are not debasing in nature. Members shall not display tattoos that are obscene, sexual in nature, racist, gang related, alcohol or drug related, derogatory, in violation of any nondiscrimination laws, or that undermines district or departmental values. In addition, no tattoos shall be visible above the collar (including neck, behind ears, etc...). The Chief of Police shall have final say on approval of any tattoos in question.

1018.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Lake Dallas ISD Police Department in any official capacity, 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:

- (a) Tongue splitting or piercing.

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- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

1018.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Lake Dallas ISD Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

1018.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Lake Dallas ISD Police Department in any official capacity.

1018.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

1018.4.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

1018.5 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

1018.6 EXEMPTIONS

Members who seek an exemption to this policy protected by law (e.g., culturally protective hairstyles) should generally be accommodated (Tex. Labor Code § 21.1095). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security

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or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with an exemption is denied an assignment based on a safety or security risk.

Uniforms and Civilian Attire

1019.1 PURPOSE AND SCOPE

This policy provides guidelines for Lake Dallas ISD Police Department-authorized uniforms and civilian attire regulations. It is established to ensure that uniformed members will be readily identifiable to the public through the proper use and wearing of department uniforms, and that the appearance of members who wear civilian attire reflects favorably on the Department.

This policy addresses the wearing and maintenance of department uniforms, accessories, insignia, patches and badge; the requirements for members who wear civilian attire; and the authorized use of optional equipment and accessories by members of the Department.

Other related topics are addressed in the Badges, Patches and Identification, Department-Owned and Personal Property, and Personal Appearance Standards policies.

1019.2 POLICY

The Lake Dallas ISD Police Department will provide uniforms for all employees who are required to wear them. The Department may provide other department members with uniforms at the direction of the Chief of Police.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

1019.3 UNIFORMS

The Chief of Police or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by all members as needed. Uniforms shall be worn as described therein and as specified in this policy.

The following shall apply to those assigned to wear department-issued uniforms:

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) Officers in a non-uniformed assignment shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Uniforms shall be worn in compliance with any applicable department specifications.
- (d) Members shall wear only the uniforms specified for their ranks and assignments.
- (e) Civilian attire shall not be worn in combination with any distinguishable part of a uniform.
- (f) Uniforms are only to be worn while on-duty, for court, at official department functions or events, while in transit to or from work, or when authorized by the Chief of Police or the authorized designee.
- (g) Members are not to purchase or drink alcoholic beverages while wearing any part of department-issued uniforms, including the uniform pants.

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- (h) All supervisors will perform periodic inspections of members under their commands to ensure conformance to this policy.

1019.3.1 ACCESSORIES

Members shall adhere to the following when wearing department uniforms:

- (a) Mirrored sunglasses will not be worn.
- (b) Jewelry shall be in accordance with the specifications in the Personal Appearance Standards Policy.

1019.3.2 INSIGNIA, PATCHES AND BADGE

Only the following elements may be affixed to department uniforms unless an exception is authorized by the Chief of Police:

- (a) Shoulder patch - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets.
- (b) Badge - The department-issued badge, or an authorized sewn-on cloth replica, must be worn and visible at all times while in uniform.
- (c) Nameplate - The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform.
- (d) Rank insignia - The designated insignia indicating the member's rank must be worn at all times while in uniform.
- (e) Service insignia - The designated insignia indicating the member's length of service may be worn on long-sleeve shirts and jackets. The insignia shall be machine stitched to the left sleeve of the uniform.
 - 1. One service stripe may be worn for every five years of service with any law enforcement agency.
- (f) Assignment insignias - Assignment insignias (e.g., Denton County SWAT (SWAT), Field Training Officer (FTO)) may be worn as designated by the Chief of Police.
- (g) American flag pin - An American flag pin may be worn, centered above the nameplate.
- (h) Award/commendation insignia - Insignia representing an award or commendation received under the Commendations and Awards Policy, or other recognition authorized by the Chief of Police, may be worn, centered above the nameplate. If more than one award is worn, or an American flag pin is worn, the insignia shall be equally spaced in one or two horizontal rows centered above the nameplate in a manner that provides a balanced appearance.

1019.3.3 MOURNING BAND

Uniformed members shall wear a black mourning band across the department badge whenever a law enforcement officer is killed in the line of duty as directed by the Chief of Police. The following mourning periods will be observed:

- (a) Lake Dallas ISD Police Department officer - From the time of death until midnight on the 14th day after the death.

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- (b) An officer from the State of Texas - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out-of-state fallen officer.
- (d) National Peace Officers' Memorial Day (May 15) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

1019.4 UNIFORM CLASSES

The Chief of Police or the authorized designee shall determine the uniform to be worn by each department member or any deviations that may be authorized.

Uniforms are classified as follows:

- (a) Class A - Full dress uniform to be worn by designated department members on special occasions, such as funerals, graduations, ceremonies, or as directed by the Chief of Police or the authorized designee.
- (b) Class B - Standard issue uniform to be worn daily by designated department members.
- (c) Class C - General utility uniform to be worn by designated Department members.
- (d) Specialized assignment - Specific uniforms to be worn by members in special assignments or divisions.

1019.4.1 CLASS A UNIFORM

The Class A uniform consists of the following:

- (a) Dress hat
- (b) Long-sleeve shirt
- (c) Tie tack or tie bar
- (d) Trousers
- (e) Black belt
 - 1. Belts shall be equipped as needed for the member's assignment.
- (f) Dark blue or black socks
- (g) Black polished dress shoes
 - 1. Boots with pointed toes are not permitted.

1019.4.2 CLASS B UNIFORM

The Class B uniform consists of the following:

- (a) Long- or short-sleeve shirt with the collar open and no tie
 - 1. A black crew neck t-shirt must be worn under the uniform shirt.
 - 2. All shirt buttons must remain buttoned except for the top button at the neck.
 - 3. Long sleeves must be buttoned at the cuff.

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- (b) Trousers
- (c) Black belt
 - 1. Belts shall be equipped as needed for the member's assignment.
- (d) Dark blue or black socks
- (e) Black polished dress shoes
 - 1. Approved black unpolished shoes may be worn.
 - 2. Boots with pointed toes are not permitted.
 - 3. Decorative stitching or adornment is not permitted.
- (f) Weather-appropriate items
 - 1. Hat
 - 2. Dark blue or black mock turtleneck may be worn under the long-sleeve uniform shirt
 - 3. Jacket
 - 4. Rain gear

1019.4.3 CLASS C UNIFORM

The Class C uniform consists of:

- (a) Department-issued black polo shirt with:
 - 1. Embroidered Lake Dallas ISD Police Department patch on left breast
 - 2. Embroidered officer's name on right breast
- (b) Khaki 5-11 BDU pants

1019.4.4 SPECIALIZED ASSIGNMENT UNIFORM

The Chief of Police or the authorized designee may authorize certain uniforms to be worn by members in specialized assignments, such as canine handlers, the SWAT, bicycle patrol, motor officers and other specific assignments.

1019.5 OPTIONAL EQUIPMENT

Any items that are allowed by the Lake Dallas ISD Police Department but that have been identified as optional shall be purchased entirely at the expense of the member. No part of the purchase cost shall be offset by the department.

Maintenance of optional items shall be the financial responsibility of the purchasing member (e.g., repairs due to normal wear and tear).

Replacement of items listed in this policy as optional shall be managed as follows:

- (a) When the item is no longer functional because of normal wear and tear, the member bears the full cost of replacement.

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- (b) When the item is no longer functional because of damage in the course of the member's duties, it shall be replaced in accordance with the Department-Owned and Personal Property Policy.

1019.6 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Department members may not wear any uniform item, accessory or attachment unless specifically authorized by the Chief of Police or the authorized designee.

Department members may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Chief of Police or the authorized designee.

Conflict of Interest

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the Lake Dallas ISD Police Department.

1020.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived or potential conflict, in which it reasonably appears that a member's action, inaction or decisions are or may be influenced by a personal or business relationship.

1020.2 POLICY

Members of the Lake Dallas ISD Police Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and department members.

1020.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members:

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.

1020.4 MEMBER RESPONSIBILITIES

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

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Whenever any member is placed in circumstances that would require him/her to take enforcement action or to provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify his/her uninvolved, immediate supervisor.

In the event that no uninvolved supervisor is immediately available, the member shall promptly notify the communications operator to have another uninvolved member either relieve the involved member or, minimally, remain present to witness the action.

1020.5 SUPERVISOR RESPONSIBILITIES

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police or the authorized designee of such actual or potential violations through the chain of command.

Badges, Patches and Identification

1021.1 PURPOSE AND SCOPE

The Lake Dallas ISD Police Department (LDISD PD) badge, patch and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

1021.2 POLICY

The Lake Dallas ISD Police Department issues each member appropriate identification, which may include a badge, patch and/or identification card, depending on the member's position within the Department.

1021.3 MEMBER RESPONSIBILITIES

Members of the Lake Dallas ISD Police Department will use the LDISD PD badge, patch and identification card, as well as the likeness of these items, appropriately and professionally. The LDISD PD badge, patch and identification card shall only be displayed or used by a member when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the LDISD PD badge, patch or identification card for personal gain or benefit.
- (b) Alter the badge.
- (c) Exchange the badge with other employees or transfer the badge to another person except by order of the Chief of Police.
- (d) Loan the LDISD PD badge, patch or identification card to others or permit these items to be reproduced or duplicated (Tex. Penal Code § 37.12).
- (e) Use images of the LDISD PD badge, patch or identification card, or the likeness thereof, or the Lake Dallas ISD Police Department name, for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as email, blogs, social networking or websites.

1021.4 LOST BADGE, PATCH OR IDENTIFICATION CARD

Department members shall promptly notify their supervisors whenever their LDISD PD badges, patches or identification cards are lost, damaged or are otherwise removed from their control.

1021.5 BADGES

The Chief of Police shall determine the number and form of badges authorized for use by department members.

Only badges issued by this department are authorized to be used, displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

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1021.5.1 RETIREE BADGES

The Chief of Police may establish rules for allowing honorably retired members to keep their badges in some form or possess a retirement badge upon retirement.

Employees who retire or resign will not be permitted to keep their badge when doing so will hamper normal operations of the Department. All badges that are approved for retention upon separation must be purchased unless exempted by the Chief of Police.

1021.5.2 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the LDISD PD badge shall not be used for any purpose without the express authorization of the Chief of Police and shall be subject to the following:

- (a) An authorized employee group may use the likeness of the LDISD PD badge for merchandise and official employee group business provided it is used in a clear representation of the employee group and not the Lake Dallas ISD Police Department. The following modification shall be included:
 1. Any text identifying the Lake Dallas ISD Police Department is replaced with the name of the employee group.
 2. A badge number is not included. That portion of the badge may display the acronym of the employee group.

1021.6 PATCHES

The Chief of Police shall determine the form of patches authorized for use by the Department. Any request to modify the authorized patches for specialty divisions (e.g., K-9, SWAT) should be submitted to the Chief of Police in writing.

Only patches issued by this department are authorized to be displayed or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief of Police, may request additional patches, at their own expense.

1021.7 IDENTIFICATION CARDS

All members will be issued an official LDISD PD identification card bearing:

- The member's name
- The member's full-face photograph
- The member's identification number
- The member's signature
- The signature of the Chief of Police
- The Department name or the official seal of the Department
- If the member is an officer (Tex. Gov't Code § 614.122; Tex. Gov't Code § 614.123):

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- A brief description of the officer (i.e., height, weight, eye color)
- His/her thumbprint or a bar code with a unique identification label for the officer
- His/her date of appointment, the date the identification card was issued and a 24-hour phone number that may be called to verify the validity of the card
- The words "State of Texas," the Texas state seal and the following language:

"This identification card certifies that (insert name of peace officer) is commissioned by the Department as a (insert "full-time peace officer" or "part-time peace officer" or "reserve law enforcement officer")."

All members shall be in possession of their department-issued identification cards at all times while on-duty or in department facilities.

- (a) Whenever on-duty or acting in an official capacity representing the Department, members shall display their department-issued identification cards in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers or other members working specialized assignments may be excused from the possession and display requirements when directed by their Sergeants.

1021.8 BUSINESS CARDS

The Department may supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain identifying information including, but not limited to, the member's name, badge or other identification number and contact information (e.g., telephone number, email address).

Members should provide a business card to any member of the public who requests one.

Performance History Audits

1022.1 PURPOSE AND SCOPE

This policy provides guidance for the use of performance history audits. Performance history audits can help identify commendable performance as well as provide early recognition of training needs and other potential issues (e.g., problematic conduct). This policy addresses the responsibilities, performance indicators, and components of the audit; handling of collected data; and conducting appropriate interventions, when necessary.

1022.2 POLICY

The Lake Dallas ISD Police Department collects data to assist supervisors with evaluating the performance of their employees, including identifying problematic conduct and providing for appropriate interventions. While it is understood that the statistical compilation of data may be helpful to supervisors, the Department recognizes that it cannot account for, and must carefully balance such data with, the many variables in law enforcement, such as:

- Ability to detect crime.
- Work ethic.
- Assignment and shift.
- Physical abilities (ability to perform the job-related physical tasks).
- Randomness of events.

1022.3 RESPONSIBILITIES

Under the authority of the Administration Sergeant, the Professional Standards Unit is responsible for collecting performance indicators and other relevant data. The data will be compiled to generate quarterly performance history audit reports that will be provided to the appropriate Sergeant. The Professional Standards Unit will utilize confidential methods to compile and track information regarding performance indicators for each officer during each quarter in order to prepare the report. Though generated quarterly, each report should contain data from a one-year time period.

The Administration Sergeant should forward a copy of each performance history audit report to the District Attorney for review and retention as attorney work product and confidential personnel information.

1022.4 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance history audits should include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

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1022.4.1 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police has determined may be relevant data for the generation and analysis of performance history audits. These indicators may include, but are not limited to, the frequency and/or number of:

- (a) Use of force incidents.
- (b) Involvement and conduct during vehicle pursuits.
- (c) Personnel complaints, including the findings.
- (d) Commendations, compliments and awards from the Department and the public.
- (e) Claims and civil suits related to the employee's actions or alleged actions.
- (f) Canine bite incidents.
- (g) Personnel investigations.
- (h) District Attorney case rejections and the reasons.
- (i) Intentional or unintentional firearm discharges (regardless of injury).
- (j) Vehicle collisions.
- (k) Missed court appearances.
- (l) Documented counseling.

1022.4.2 DATA ANALYSIS

The Chief of Police will review each performance history audit report and determine whether it should be provided to the officer's immediate supervisor for further consideration.

1022.4.3 EMPLOYEE REVIEW

Upon receipt of a performance history audit report, the supervisor will carefully review the report with the officer to assess any potential trends or other issues that may warrant intervention to improve officer performance and avoid unnecessary uses of force. These interventions could include informal counseling, additional training, or a recommendation for other action, including discipline. The officer shall date and sign the report and should be provided with a copy of the report upon request.

If a supervisor determines that an officer's performance warrants action beyond informal counseling, the supervisor shall advise the Sergeant of such recommendation. If the Sergeant concurs with the recommendation of the supervisor, the supervisor shall take steps to initiate the appropriate action.

If discipline or other adverse action is initiated against an officer as a result of a performance history audit, the officer shall be entitled to all rights and processes set forth in the Personnel Complaints Policy.

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1022.4.4 FOLLOW-UP MONITORING

Depending upon the results of each performance history audit, a determination should be made by the Chief of Police, after discussion with the officer's immediate supervisor, about the need, type and duration of any follow-up. Performance indicators and data analysis will generally provide the basis upon which such decisions should be made.

1022.5 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop performance history audit reports shall be considered confidential as part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to performance history audit reports will be governed under the same process as access to an officer's personnel file, as outlined in the Personnel Records Policy.

Access to the underlying data will be governed by the process for access to the original records (such as police reports).

1022.6 EFFICIENCY REPORTS

Officers shall be provided with the opportunity to review, receive a copy of and comment in writing concerning any efficiency report placed into the officer's personnel file (Tex. Local Gov't Code § 143.082).

1022.7 RETENTION

Performance history audit reports and associated records shall be retained in accordance with the established records retention schedule.

Speech, Expression and Social Networking

1023.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Lake Dallas ISD Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech and use of all internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1023.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Lake Dallas ISD Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1023.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of Lake Dallas ISD Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow department member.

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- Otherwise disclosing where another officer can be located off-duty.

1023.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the safety, performance and public-trust needs of the Lake Dallas ISD Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members. Examples may include:
 - 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 - 2. Expression that demonstrates support for criminal activity.
 - 3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (Tex. Penal Code § 39.06).
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Lake

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Dallas ISD Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1023.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Lake Dallas ISD Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video or public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Lake Dallas ISD Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1023.4.2 POLITICAL ACTIVITY

Employees of the Lake Dallas ISD Police Department may not engage in a political activity relating to a campaign for an elective office while in uniform or on-duty (Tex. Local Gov't Code § 150.002).

While out of uniform and not on active duty, an employee may engage in a political activity relating to a campaign for an elective office, except that the person may not solicit campaign contributions for a candidate other than from members of an employee organization to which that person belongs (Tex. Local Gov't Code § 150.002; Tex. Local Gov't Code § 150.003).

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1023.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1023.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1023.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression and use of social networking to all members of the Department.

Line-of-Duty Deaths

1024.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Lake Dallas ISD Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy for a non-line-of-duty member death, or in situations where members are injured in the line of duty and the injuries are life-threatening.

1024.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of an officer during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing assigned duties.

For an officer, a line-of-duty death includes death that is the direct and proximate result of a personal injury sustained in the line of duty (34 USC § 10281).

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1024.2 POLICY

It is the policy of the Lake Dallas ISD Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1024.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Chief of Police and Central Communications.
 - (a) Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

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- (c) If the member has been transported to the hospital, the Supervisor or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1024.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Supervisor, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

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- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting child care or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Lake Dallas ISD Police Department members may be apprised that survivor notifications are complete.

1024.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1024.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shifts. Members reporting for duty from their residences should be instructed to contact their supervisors as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

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Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1024.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed. The Department should consider seeking assistance from surrounding law enforcement agencies to fill liaison and coordinator positions, as appropriate.

1024.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Sergeant or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System.
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

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- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-staff.
- (g) Reminding department members of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.
- (j) Ensuring that the member's duty weapon and badge are transferred to the designated beneficiary or estate (Tex. Gov't Code § 615.102).

1024.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Establish a command post or incident command system, as appropriate, to facilitate management of the situation and its impact on hospital operations (e.g., influx of people, parking).
- (b) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (c) Ensure, as practicable, that any suspects who are in the hospital and their families or friends are not in proximity to the member's survivors or Lake Dallas ISD Police Department members (except for members who may be guarding a suspect).
- (d) Arrange for survivors to receive timely updates regarding the member before information is released to others.
- (e) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (f) Stay with survivors and provide them with other assistance as needed at the hospital.
- (g) If applicable, explain to the survivors why an autopsy may be needed.
- (h) Make arrangements for hospital bills to be directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment, and that the member's residence address, insurance information, and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include but are not limited to:

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- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting their actions at the conclusion of duties.

1024.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Sergeant. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- The selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

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1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the Wellness Support Liaison for survivors to have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services (e.g., as applicable, the Annual Candlelight Vigil at the National Law Enforcement Officers Memorial), or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1024.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
 1. Members involved in the incident.
 2. Members who witnessed the incident.

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3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Making arrangements for members who were involved in or witnessed the incident to be relieved of department responsibilities until they can receive wellness support.
- (c) Making wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to inform survivors of available wellness support and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

1024.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison, and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.
- (g) Addressing event-related logistical matters (e.g., parking, visitor overflow, public assembly areas).

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1024.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Lake Dallas ISD Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform duties in accordance with the Outside Agency Assistance Policy.

Where practicable, the Chief of Police should appoint a mutual aid coordinator to identify external resources in advance of any need (e.g., regional honor guard teams, county- or state-wide resources).

1024.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease, Work-Related Injury and Death Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the following:
 - 1. Public Safety Officers' Benefits Program, including financial assistance available through the Public Safety Officers' Educational Assistance (PSOEA) Program, as applicable (34 USC § 10281 et seq.).
 - 2. Social Security Administration.
 - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. State death benefits (Tex. Const. art. III, § 51-d).
 - 2. Retirement and death benefits available under Title 8 of the Texas Government Code.
 - 3. Survivor Benefits (Tex. Gov't Code § 615.022; Tex. Gov't. Code § 615.023).
 - 4. Health insurance benefits (Tex. Gov't Code § 615.072 et seq.).
 - 5. Educational benefits (Tex. Educ. Code § 54.354).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs.
 - 2. Survivor scholarship programs.

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- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1024.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1024.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Instruct department members to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Coordinate with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Disseminate important public information, such as information on how the public can show support for the department and deceased member's survivors.

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- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media have obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should notify media when survivor notifications have been made.

1024.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. Chaplain duties may include but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support, or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1024.9 INVESTIGATION OF THE INCIDENT

The Chief of Police should make necessary assignments to conduct thorough investigations of any line-of-duty death and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

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1024.10 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Part-Time Officers

1025.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Lake Dallas ISD Police Department part-time officers to supplement and assist regular full-time police officers in their duties. These officers provide professional and special functions and part-time services that can augment regular staffing levels.

1025.1.1 DEFINITIONS

Definitions related to this policy include:

Part-time officer- A person who has been elected, employed or appointed as peace officer, as defined by Tex. Code of Crim. Pro. art. 2.12, and who is assigned to work less than 32 hours per week, is compensated at least at the federal minimum wage and is entitled to all employee benefits offered to a peace officer of this state (Tex. Gov't Code § 614.121).

1025.2 POLICY

The Lake Dallas ISD Police Department shall ensure that part-time officers are properly appointed, trained and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

1025.3 RECRUITMENT AND SELECTION

The Lake Dallas ISD Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular full-time police officers before appointment.

1025.3.1 APPOINTMENT

Applicants who are selected for appointment as part-time officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

Part-time officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Part-time officers shall have no property interest in continued appointment. However, if a part-time officer is removed for alleged misconduct, the part-time officer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

1025.4 IDENTIFICATION AND UNIFORMS

Part-time officers will be issued Lake Dallas ISD Police Department uniforms, badges and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. The identification cards will be the standard Lake Dallas ISD Police Department identification cards, with the exception that "Part-time" will be indicated on the cards (see the Badges, Patches and Identification Policy).

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1025.5 AUTHORITY

Part-time officers shall perform law enforcement officer duties within the scope of their approved training. Part-time officers:

- (a) Perform law enforcement functions and have the authority to arrest on behalf of this department (see the Law Enforcement Authority Policy).
- (b) Shall not exercise law enforcement officer duties when off-duty.

1025.6 COMPENSATION

Compensation for part-time officers is provided as follows:

- (a) Part-time officers shall work as per agreement with the District of Lake Dallas ISD or the Chief of Police.
- (b) Part-time officers are issued two sets of uniforms and all designated attire and safety equipment, as applicable to their positions. All property issued to part-time officers shall be returned to this department upon termination or resignation.

1025.7 PERSONNEL WORKING AS PART-TIME

Qualified regular department personnel, when authorized, may also serve as part-time officers. However, this department shall not utilize the services of part-time officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a part-time officer for reduced pay or no pay). Therefore, the part-time officer coordinator should consult with the Department of Human Resources prior to allowing regular department personnel to serve in a part-time officer capacity (29 CFR 553.30).

1025.8 COMPLIANCE

Part-time officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each part-time officer upon appointment. The officers shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a part-time officer, unless by its nature it is inapplicable.

Part-time officers are required by this department to meet department-approved training requirements.

All part-time officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the part-time officer coordinator.

1025.9 FIREARMS

Part-time officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the District prior to being issued firearms by this department or otherwise acting as part-time officers on behalf of the Lake Dallas ISD Police Department.

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Part-time officers will be issued duty firearms as specified in the Firearms Policy. Any part-time officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Part-time officers are required to maintain proficiency with firearms used during their assignments. Part-time officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

1025.9.1 FIREARMS OFF-DUTY

A part-time officer shall not carry a firearm while in an off-duty capacity, other than to and from work, unless they possess a valid license to carry issued by the Texas Department of Public Safety or is otherwise authorized under state law.

An instance may arise where a part-time officer is assigned to a plainclothes detail for their assigned tour of duty. Under these circumstances, the part-time officer may be permitted to carry a weapon more suited to the assignment, but only with the knowledge and approval of the supervisor in charge of the detail.

Any part-time officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon shall comply with all the requirements set forth in the Firearms Policy.

Before being allowed to carry any optional firearm during an assigned tour of duty, the part-time officer shall demonstrate their proficiency with the weapon.

1025.10 PART-TIME OFFICER COORDINATOR

The Chief of Police shall delegate certain responsibilities to a part-time officer coordinator. The coordinator shall be appointed by and directly responsible to the Operations Sergeant or the authorized designee.

The part-time officer coordinator may appoint a senior part-time member or other designee to assist in the coordination of part-time officers and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Assigning part-time officers.
- (b) Conducting part-time officer meetings.
- (c) Establishing and maintaining a part-time officer callout roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring the field training progress of part-time officers.
- (f) Monitoring individual part-time officer performance.
- (g) Monitoring overall part-time officer activities.
- (h) Maintaining a liaison with other agency part-time officer coordinators.

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1025.11 FIELD TRAINING

All part-time officers shall complete the same department-specified field training as regular full-time police officers, as described in the Field Training Policy.

1025.12 SUPERVISION

Part-time officers may perform the same duties as regular full-time officers of this department provided they are under the direct or indirect supervision of a supervisor or officer in charge. Part-time officers should not supervise a regular full-time officer.

1025.12.1 EVALUATIONS

While in training, part-time officers should be continuously evaluated using standardized daily and weekly observation reports. The part-time officer will be considered a trainee until he/she has satisfactorily completed training. Part-time officers who have completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that part-time officer.

1025.12.2 INVESTIGATIONS AND COMPLAINTS

If a part-time officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

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Lake Dallas ISD Police Department

General Orders

General Orders

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Efficient Operations:

*Consideration/Approval to Delete Policy
CKEC(Local) and Adopt CKE(Local)-D1SRO,
DH(Local), and DEC(Local)*

Presenter: Chadd Springer
Event: Special Board Meeting
Date: August 26, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



CKE Series

Can only have one CKE series policy

- Currently have CKEC(L)-SRO:
 - provides for the use of school resource officers to implement the District's comprehensive safety programs.
- CKEC(L) needs to be replaced with CKE(L)-D1SRO
 - will allow the Board to authorize the formation of a District police department and shall employ and commission police officers.
 - will continue to allow for the use of school resource officers
- CKE(Local)-D1SRO will be revisited in the future when the use of SRO's is discontinued



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EFFICIENT OPERATIONS



Board Action Needed

Delete *CKEC(Local)-SRO*

Adopt *CKE(Local)-D1SRO*



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EFFICIENT OPERATIONS



DH(Local)

Current DH(Local) prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapons, as defined at FNCG, on District property at all times.

Current exceptions:

- allows for the storage of a handgun or other firearm in a locked vehicle on District property provided the employee has a Texas handgun license
- allows for the use, possession or display of prohibited weapon that takes place as part of a District-approved activity supervised by proper authorities

Additional exception needed:

- use or possession of a firearm by a specific employee is authorized by Board action



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EFFICIENT OPERATIONS



Board Action Needed

Adopt revised *DH(Local)* policy to allow for use or possession of a firearm by a specific employee



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EFFICIENT OPERATIONS



DEC(Local)

DEC(Local) governs leaves and absences for District employees.

- Revisions are needed to align Board policy with Texas Government Code leave requirements for peace officers.
- Topics that require inclusion in DEC(Local):
 - Mental Health Leave
 - Quarantine Leave
 - Line of Duty Illness or Injury Leave of Absence



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EFFICIENT OPERATIONS



Board Action Needed

Adopt revised board policy *DEC(Local)* which includes leave for peace officers as presented.



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EFFICIENT OPERATIONS





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EFFICIENT OPERATIONS



Any Questions?





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EFFICIENT OPERATIONS



LAKE DALLAS

Independent School District



COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

PROPOSED REVISIONS: 8.19.2024

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

Catastrophic Illness
or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave
Proration**

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used.

**Nondiscretionary
Use**

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

<i>Request for Leave</i>	In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes. Discretionary use of state personal leave shall not exceed five consecutive workdays.
Local Leave	Each employee shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate to a maximum of 20 leave days. Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]
Sick Leave Pool	An employee who has exhausted all paid leave as well as any applicable compensatory time and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave for use by the eligible employee. The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool. The Superintendent shall develop regulations for the implementation of the sick leave pool that address the following: 1. Procedures to request the establishment of a sick leave pool; 2. The maximum number of days an employee may donate to a sick leave pool; 3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and 4. The return of unused days to donors.
Appeal	An employee may appeal a decision regarding the establishment or implementation of the District's sick leave pool in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.
Mental Health Leave	A District peace officer who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which an eligible employee may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave

A District peace officer shall be granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

Line of Duty Illness or Injury Leave of Absence

Following a leave of absence with full pay as required by law, the District shall not extend the leave of absence for a police officer's line of duty illness or injury. In accordance with law, the police officer may use accumulated leave.

Family and Medical Leave

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

Note: See DECA(LEGAL) for provisions addressing FMLA.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Twelve-Month Period	For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be July 1 through June 30.
Combined Leave for Spouses	When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks.
Intermittent or Reduced Schedule Leave	The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.
Certification of Leave	When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.
Fitness-for-Duty Certification	In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.
Leave at the End of Semester	When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.
Temporary Disability Leave	Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.] An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave. The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.
Workers' Compensation	Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

No Paid Leave
Offset

The District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits. [See CRE]

Court Appearances

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

**Payment for
Accumulated Leave
Upon Retirement**

The following leave provisions shall apply to local leave accumulated beginning on the original effective date of this program.

An employee who retires from the District shall be eligible for payment for accumulated local leave under the following conditions:

1. The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.
2. The employee is retiring under the Teacher Retirement System of Texas (TRS).
3. The employee provides advance written notice of intent to retire. Contract and noncontract employees must provide written notice by the first Monday in March of the fiscal year.
4. The employee has at least 10 consecutive years of service with the District.
5. A contract employee must fulfill the terms of the contract.
6. A noncontract employee must complete the work year based on the work calendar.

The employee shall receive payment for each day of accumulated local leave, to a maximum of 20 days, at a rate of \$50 per day for a contract employee and \$25 per day for a noncontract employee. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

ADD POLICY: 8.15.2024

District Police Department	To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.
Supervisory Authority	The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.
Jurisdiction	The jurisdiction of District police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Police Authority and Duties	Each District police officer shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the District. Subject to limitations in law, each District police officer shall: 1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District. 2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, District police officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure. 3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure. 4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary. 5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions. 6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations. 7. Carry weapons as directed by the chief of police and approved by the Superintendent. 8. Carry out all other duties as directed by the chief of police or Superintendent.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

	A District police officer shall not be assigned routine classroom discipline or administrative tasks.
Limitations on Nonschool Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police and Superintendent. Each District police officer shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while working off-duty or temporarily assigned to another agency.
Relationship with Outside Agencies	The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into memoranda of understanding and other appropriate interlocal agreements that outline reasonable communication and coordination efforts among the department and the agencies. The chief of police and the Superintendent shall review the memoranda of understanding and other agreements at least once every year. All such agreements shall be approved by the Board.
<i>Interlocal Agreement for Mutual Aid</i>	While operating pursuant to an interlocal agreement for mutual aid or other support for another law enforcement agency, each District police officer shall perform the duties and have the authorities set out in the agreement, including enforcing all laws within the other agency's jurisdiction.
Video Monitoring	If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.
<i>Access to Recordings</i>	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]
Body-Worn Cameras	A District police officer shall use a body-worn camera only when performing official law enforcement duties for the District and in accordance with the provisions of the District police department's body-worn camera program. Each District police officer shall receive training on the program, including proper use and operation of cameras. Any District employee who has access to data from body-worn cameras shall receive training on storage, retention, and release of recordings.
Training	Each District police officer shall receive at least the minimum amount of education and training required by law.

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNELCKE
(LOCAL)

Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The chief of police and the Superintendent shall review the manual annually and make any appropriate revisions.
<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with laws regarding racial profiling. A District police officer shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	A District police officer shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Complaints	Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint. Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate. [See CKE(LEGAL) and CKEA(LEGAL)]
School Resource Officers	To implement the District's comprehensive safety programs, the District has entered into a memorandum of understanding (MOU) with each local law enforcement agency that provides the District with school resource officers. School resource officers shall provide services consistent with the terms of the agreement, the comprehensive safety programs, and Board policy.
Jurisdiction	The jurisdiction of school resource officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.
Authority and Duties	A school resource officer shall perform duties as described in the MOU and as included in the District improvement plan and the Student Code of Conduct. Pursuant to the MOU, a school resource officer shall:

SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

CKE
(LOCAL)

1. Protect the safety and welfare of any person in the jurisdiction of the District and protect the property of the District.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, school resource officers may serve search warrants in connection with District-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce District policies, rules, and regulations on District property, in school zones, at bus stops, or at District functions.
6. Investigate violations of District policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations.
7. Carry a firearm in accordance with the MOU and the directives with the commissioning entity.
8. Carry out all other duties in accordance with the MOU.

A school resource officer shall not be assigned routine classroom discipline or administrative tasks. Each school resource officer shall receive at least the minimum amount of education and training required by law.

[See CKE(LEGAL) and CKEC(LEGAL)]

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

PROPOSED REVISIONS: 8.15.2024

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Violations of
Standards of
Conduct**

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. **Use or possession of a firearm by a specific employee is authorized by Board action. [See CKE series]**
2. A District employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

**Electronic
Communication**

Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

Personal Use	All employees shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Safety Requirements	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
Harassment or Abuse	An employee shall not engage in prohibited harassment, including sexual harassment, of: 1. Other employees. [See DIA] 2. Students. [See FFH; see FFG regarding child abuse and neglect.] While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents. An employee shall report child abuse or neglect as required by law. [See FFG]
Relationships with Students	An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH] As required by law, the District shall notify the parent of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]
Tobacco and E-Cigarettes	An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]
Alcohol and Drugs / Notice of Drug-Free Workplace	As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below. An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours: 1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate. 2. Alcohol or any alcoholic beverage.

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee’s child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice

Employees shall receive a copy of this policy.

**Arrests, Indictments,
Convictions, and
Other Adjudications**

An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

- Dishonesty; fraud; deceit; theft; misrepresentation;
- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Felony driving while intoxicated (DWI); or
- Acts constituting abuse or neglect under the Texas Family Code.

Dress and Grooming

An employee's dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with any additional standards established by his or her supervisor and approved by the Superintendent.

**LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
COMBINED BUDGET SUMMARY
2024-25 School Year**

Revenue Sources	General Fund	Food Service	Debt Service	Compensatory Education
Local and Intermediate Revenues	\$24,417,600	\$610,067	\$16,040,494	
State Program Revenues	16,907,246	\$43,128	1,672,918	
Federal Program Revenues	641,018	\$1,814,446	-	
Total Budgeted Revenue Sources	41,965,865	2,467,641	17,713,412	
Total Expenditures	0			
Instruction	23,426,370	-	-	984,043
Instruction Resources & Media Services	464,550	-	-	-
Curriculum/Instructional Staff Dvlpmnt.	781,431	-	-	392,837
Instructional Leadership	677,367	-	-	60,034
School Leadership	2,269,025	-	-	15,923
Guidance and Counseling Services	1,344,332	-	-	-
Social Work Services	-	-	-	-
Health Services	366,863	-	-	-
Student Transportation	1,714,191	-	-	-
Food Services	-	2,947,833	-	-
Co-Curricular Extracurricular Activities	1,173,280	-	-	-
General Administration	1,781,338	-	-	-
Plant Maintenance & Operations	5,737,573	-	-	-
Security & Monitoring Services	977,325	-	-	-
Data Processing Services	1,268,960	-	-	-
Debt Services	-	-	17,711,443	-
Facilities Acquisition and Construction	14,000	-	-	-
Payments to Fiscal Agents	6,500	-	-	-
Other Intergovernmental Charges	320,200	-	-	-
Total Appropriated Expenditures	\$42,323,305	\$2,947,833	\$17,711,443	\$1,452,837
Budgeted Increase (Decrease)	(\$357,440)	(\$480,192)	\$1,969	N/A

Efficient Operations:

Consideration/Approval of all Matters Incident and Related to providing for the redemption of certain outstanding obligations of the District, including the adoption of an order pertaining thereto.

Presenter: Wes Eversole, Deputy Superintendent

Event: LDISD Board of Trustees Meeting

Date: August 26, 2024



STUDENT SUCCESS



PARENT & FAMILY/
COMMUNITY SUPPORT



FACULTY & STAFF
ENGAGEMENT



EFFICIENT OPERATIONS



DEBT SERVICE BUDGET

- Increased property values provide additional opportunities to retire debt
 - Increase LDISD Debt Capacity
 - Decreases Taxpayer Interest Burden
- Since 2012, deployed debt management practices such as pre-payment or refinancing debt, realizing \$30 million in interest and principal savings
- Maintaining Current Tax Rate - \$.50 for FY 2025
- Prepayment of Debt - \$5,085,000
- Resulting in future interest cost savings of \$1,009,351



STUDENT SUCCESS



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COMMUNITY SUPPORT



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EFFICIENT OPERATIONS



Any Questions?



AN ORDER authorizing the redemption of certain currently outstanding obligations of the District; and resolving other matters incident and related thereto

WHEREAS, pursuant to orders passed and adopted by the Board of Trustees (the "Board of Trustees") of the Lake Dallas Independent School District (the "District") and pricing certificates related thereto (collectively, the "Authorization"), the following described bonds were duly authorized to be issued and are currently outstanding, to wit: (1) "Lake Dallas Independent School District Unlimited Tax Refunding Bonds, Series 2015," dated February 15, 2015, in the original principal amount of \$19,063,026.95 (the "Series 2015 Bonds"), and (2) "Lake Dallas Independent School District Unlimited Tax Refunding Bonds, Series 2016," dated May 15, 2016, in the original principal amount of \$24,877,700.20 (the "Series 2016 Bonds," and, together with the Series 2015 Bonds, the "Bonds"); and

WHEREAS, the Board of Trustees hereby finds it is in the best interest of the District and the residents of the District to redeem the Series 2015 Bonds issued as capital appreciation bonds that are scheduled to mature on August 15 in each of the years 2030 and 2031 and aggregating in the principal amount of \$15,079.60 and maturity amount of \$2,700,000 (the "Series 2015 Refunded Bonds") as herein provided in order to terminate the accrual of interest thereon, to reduce the District's aggregate debt service requirements in the years subsequent to the redemption date and to document that this debt will be redeemed in the District's 2024-2025 fiscal year; and

WHEREAS, the Board of Trustees hereby further finds it is in the best interest of the District and the residents of the District to redeem the Series 2016 Bonds issued as capital appreciation bonds that are scheduled to mature on August 16 in each of the years 2032 and 2033 and aggregating in the principal amount of \$643,266.45 and maturity amount of \$2,385,000 (the "Series 2016 Refunded Bonds," and, together with the Series 2015 Refunded Bonds, the "Refunded Bonds") as herein provided in order to terminate the accrual of interest thereon, to reduce the District's aggregate debt service requirements in the years subsequent to the redemption date and to document that this debt will be redeemed in the District's 2024-2025 fiscal year; and

WHEREAS, in accordance with the provisions of Texas Government Code, Chapter 1207, as amended, the District is authorized and empowered to deposit funds directly with the place of payment for the Refunded Bonds, or other authorized depository, and enter into an escrow or similar agreement for the safekeeping, investment, reinvestment, administration and disbursement of such deposit of funds, and such deposit, when made in accordance with said statute, shall constitute the making of firm banking and financial arrangements for the discharge and full payment of the Refunded Bonds; and

WHEREAS, the Board of Trustees of the District further finds and determines that the Refunded Bonds should be redeemed prior to maturity on the dates and in the manner hereinafter provided and in accordance with the requirements prescribed therefor and notices of redemption of such bonds should be approved and authorized to be given at this time by the Board of Trustees; now therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT:

SECTION 1: The Series 2015 Refunded Bonds and the Series 2016 Refunded Bonds are hereby called for redemption, and shall be redeemed, on February 15, 2025 (the "Series 2015

Redemption Date”), and August 16, 2025 (the “Series 2016 Redemption Date,” and, together with the Series 2015 Redemption Date, the “Redemption Date”), respectively, each at the price of the Accreted Value (as defined in each respective Authorization) as of the date of redemption (the “Redemption Price”). The President and/or Secretary of the Board of Trustees are hereby authorized and directed to file a copy of this order, together with suggested forms of notice of redemption to be sent to bondholders, with The Bank of New York Mellon Trust Company, N.A. (the “Prior Paying Agent”), or its successors or assigns, in accordance with the redemption provisions applicable to such bonds; such suggested forms of notice of redemption being attached hereto as **Exhibit A** and **Exhibit B** and incorporated herein by reference as a part of this Order for all purposes.

SECTION 2: To provide for the full payment and discharge of the Refunded Bonds in accordance with the terms of this Order, the President, Vice President or Secretary of the Board of Trustees, the Superintendent or the Deputy Superintendent/Chief Financial Officer of the District are hereby authorized and directed to transfer lawfully available funds to the Prior Paying Agent, on or before the respective Redemption Date, to accomplish the redemption of the Refunded Bonds in accordance with the terms of this Order.

SECTION 3: The President, Vice President or Secretary of the Board of Trustees, the Superintendent or the Deputy Superintendent/Chief Financial Officer of the District are hereby authorized and directed to make all arrangements necessary to notify the holders of such Refunded Bonds of the District’s decision to redeem such bonds on the dates and in the manner herein provided and in accordance with each respective Authorization.

SECTION 4: The President, Vice President, or Secretary of the Board of Trustees, the District’s Superintendent of Schools, and the District’s Deputy Superintendent/Chief Financial Officer are each authorized to evidence adoption of this Order and to do any and all things necessary or convenient to effect the redemption described herein and otherwise give effect to the intent and purpose hereof.

SECTION 5: It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 6: This Order shall be in force and effect from and after its passage on the date shown below.

[remainder of page left blank intentionally]

PASSED AND ADOPTED, this August 26, 2024.

LAKE DALLAS INDEPENDENT SCHOOL
DISTRICT

President, Board of Trustees

ATTEST:

Secretary, Board of Trustees

(District Seal)

EXHIBIT A

NOTICE OF REDEMPTION
LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
UNLIMITED TAX REFUNDING BONDS, SERIES 2015
Dated February 15, 2015
(CAPITAL APPRECIATION BONDS)

NOTICE IS HEREBY GIVEN that the capital appreciation bonds of the above series maturing on August 15 in each of the years 2030 and 2031, and aggregating in principal amount of \$15,079.60 and maturity amount of \$2,700,000, have been called for redemption on February 15, 2025 (the "Redemption Date"), at the redemption price equal to the accreted value thereof as of the date of redemption (the "Redemption Price"), such bonds being identified as follows:

<u>Bond Number</u>	<u>Year of Maturity</u>	<u>Outstanding Maturity Amount</u>	<u>Maturity Amount to be Refunded</u>	<u>CUSIP Number</u>
CAB-15	2030	\$1,855,000	\$1,570,000	509552H81
CAB-16	2031	\$1,130,000	\$1,130,000	509552H99

A lot selection resulting in a pro rata selection among the outstanding maturities of the bonds has been made and your Bond has been selected for redemption. All of such bonds shall become due and payable on the Redemption Date, and interest thereon shall cease to accrete and compound from and after said redemption date, and payment of the Redemption Price of said bonds shall be paid to the registered owners of the bonds only upon presentation and surrender of such bonds to The Bank of New York Mellon Trust Company, N.A., at its designated office at the following address: The Bank of New York Mellon Trust Company, N.A., 500 Ross Street, Suite 625, Pittsburgh, Pennsylvania 15262, Attention: Corporate Trust.

THIS NOTICE is issued and given pursuant to the terms and conditions prescribed for the redemption of said bonds and pursuant to an order by the Board of Trustees of the Lake Dallas Independent School District.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,
as Paying Agent/Registrar

EXHIBIT B

NOTICE OF REDEMPTION
LAKE DALLAS INDEPENDENT SCHOOL DISTRICT
UNLIMITED TAX REFUNDING BONDS, SERIES 2016
Dated May 15, 2016
(CAPITAL APPRECIATION BONDS)

NOTICE IS HEREBY GIVEN that the capital appreciation bonds of the above series maturing on August 16 in each of the years 2032 and 2033, and aggregating in principal amount of \$643,266.45 and maturity amount of \$2,385,000, have been called for redemption on August 16, 2025 (the "Redemption Date"), at the redemption price equal to the accreted value thereof as of the date of redemption (the "Redemption Price"), such bonds being identified as follows:

<u>Bond Number</u>	<u>Year of Maturity</u>	<u>Outstanding Maturity Amount</u>	<u>Maturity Amount to be Refunded</u>	<u>CUSIP Number</u>
CAB-4	2032	\$1,640,000	\$1,640,000	509552R64
CAB-5	2033	\$ 745,000	\$ 745,000	509552R72

All of such bonds shall become due and payable on the Redemption Date, and interest thereon shall cease to accrete and compound from and after said redemption date, and payment of the Redemption Price of said bonds shall be paid to the registered owners of the bonds only upon presentation and surrender of such bonds to The Bank of New York Mellon Trust Company, N.A., at its designated office at the following address: The Bank of New York Mellon Trust Company, N.A., 500 Ross Street, Suite 625, Pittsburgh, Pennsylvania 15262, Attention: Corporate Trust.

THIS NOTICE is issued and given pursuant to the terms and conditions prescribed for the redemption of said bonds and pursuant to an order by the Board of Trustees of the Lake Dallas Independent School District.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,
as Paying Agent/Registrar

Efficient Operations:

Consideration/Approval of an ordinance setting a tax rate for maintenance and operations and debt services for the 2024-2025 School Year.

Presenter: Wes Eversole, Deputy Superintendent

Event: LDISD Board of Trustees Meeting

Date: August 26, 2024



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EFFICIENT OPERATIONS



Tax rate comparison

	Adopted 2023-24	Proposed 2024-25	Increase (Decrease)	% Increase (Decrease)
Maintenance and Operations (M&O)	\$0.7575	\$0.7552	(\$0.0023)	-0.30%
Debt Service (I&S)	<u>\$0.5000</u>	<u>\$0.5000</u>	<u>\$0.0000</u>	0.0%
Increase (Decrease)	\$1.2575	\$1.2552	(\$0.0023)	-0.18%



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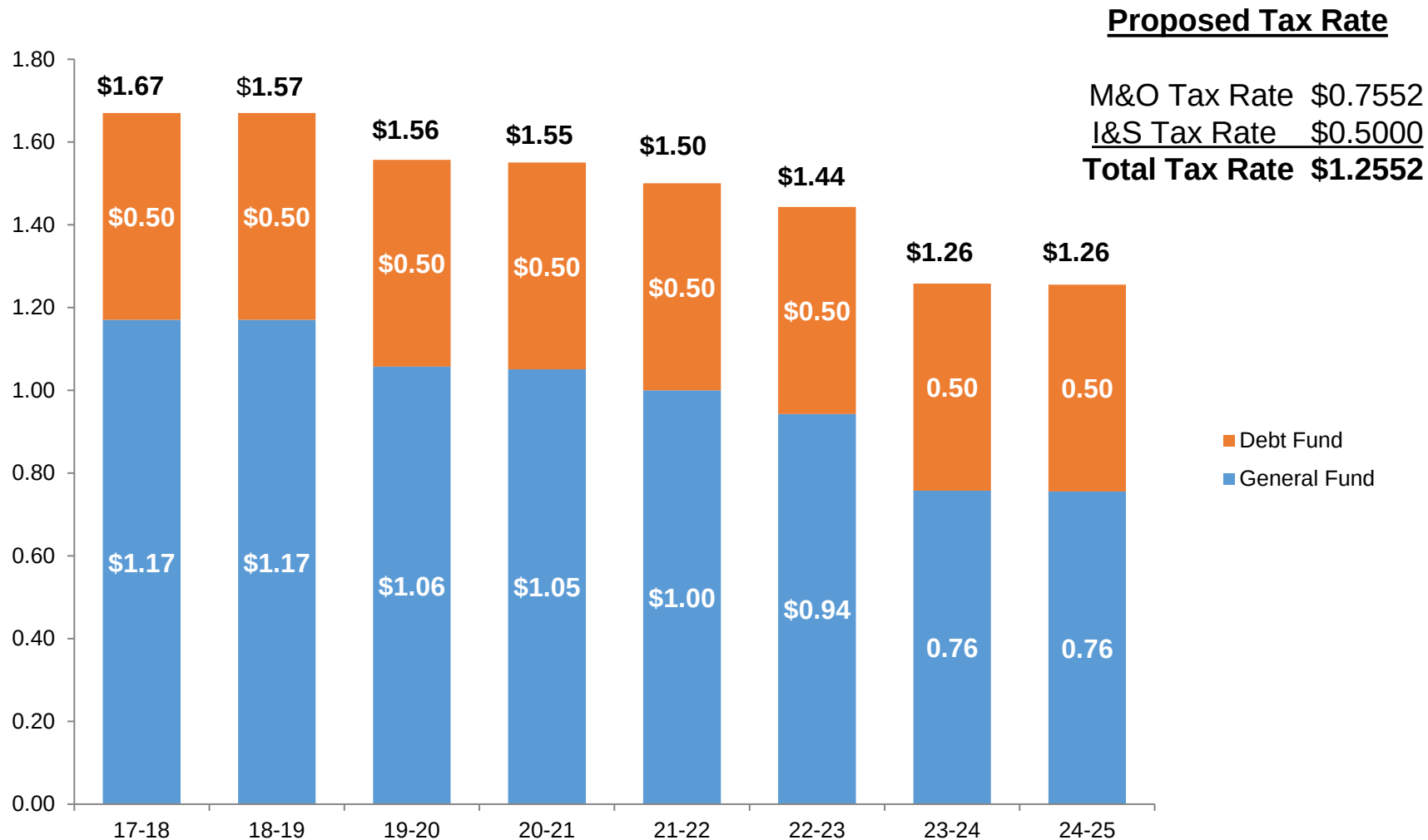
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EFFICIENT OPERATIONS



Tax Rate



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REQUIRED ORDINANCE LANGUAGE:

“the property tax rate be increased by the adoption of a tax rate of 1.2552, which is effectively a 5.3% percent increase in the tax rate”

Does not mean the overall tax rate will increase

- Tax Rate Decrease - 0.23 cents
- Property Value Increase
- New Construction



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EFFICIENT OPERATIONS



PROPOSED TAX RATE 2024-25 SCHOOL YEAR

Maintenance and Operations	\$0.7575
Debt Service Tax Rate	<u>\$0.5000</u>
Total Tax Rate	\$1.2552



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EFFICIENT OPERATIONS



Any Questions?



ORDINANCE SETTING TAX RATE

August 26, 2024

On this date, we, the Board of Trustees of the Lake Dallas Independent School District, hereby levy or set the tax rate on \$100 valuation for the District for the tax year 2024 at a total tax rate of \$1.2552, to be assessed and collected by the duly specified assessor and collector as follows:

\$0.7552 for the purpose of maintenance and operations, and

\$0.5000 for the purpose of payment of principal and interest on debts.

Such taxes are to be assessed and collected by the tax officials designated by the District.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS
THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.3% PERCENT AND WILL RAISE TAXES
FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY
\$10.**

Adopted this 26th day of August 2024 by the Lake Dallas Independent School District Board of Trustees.

President's signature

Secretary's signature