SOUTH TEXAS COLLEGE POLICE DEPARTMENT

PROCEDURE MANUAL

"The mission of the South Texas College Police Department is to provide a safe educational environment for students, faculty, staff, and campus visitors".

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Revised 10/28/14 by Chief Paul Varville

DISCRIMINATION AND HARASSMENT

South Texas College prohibits discrimination and harassment on the basis of race, color, creed, age, religion, ancestry, national origin, disability, or marital status.

AMERICANS WITH DISABILITIES ACT (ADA)

South Texas College recognizes the Americans with Disabilities Act (ADA)

AUTHORITY

The authority of the South Texas College Police Department is derived from the Texas Education Code Section 51.

PROCEDURES

This manual specifies the procedures to be followed by South Texas College Police Department employees.

COMPENSATION, BENEFITS, CONDITIONS OF WORK

South Texas College Police Department compensation, benefits, and conditions of work are established by the Board of Trustees and managed by the Human Resources Department.

COURT PROCEDURES

South Texas College Police Department employees will present a professional demeanor in court and abide by all court rules and procedures.

CRIME PREVENTION

South Texas College Police Department employees will utilize all available department resources to develop plans and programs that deter crime and protect students, faculty, staff, and visitors to the college.

DISCIPLINARY PROCESS

South Texas College Police Department adheres to the disciplinary process established by the College Board of Trustees and overseen by the Human Resources Department.

EMPLOYEE HEALTH AND SAFETY

South Texas College Police Department personnel are valuable human resources and the Police Department will comply with all Federal and State regulations to insure safe, healthful working conditions for every employee.

EVIDENCE - COLLECTION AND PRESERVATION

The South Texas College Police Department will actively processes crime scenes, collect and preserve evidence, and properly maintain the evidentiary chain of custody.

ADMINISTRATION AND OPERATIONS

The chief of the South Texas College Police Department will investigate complaints against department employees and take appropriate action to maintain the integrity of the department.

PERFORMANCE EVALUATIONS

The South Texas College Police Department maintains a process of annual evaluations for all employees. The process includes objectivity, employee input, and employee development.

PROFESSIONAL DEVELOPMENT PRACTICES AND PROCEDURES

The goal of the South Texas College Police Department is to develop professional programs, practices and procedures focusing on the skills, knowledge and abilities necessary for all employees to function in an efficient and effective manner.

ACQUIRED AND IN CUSTODY PROPERTY

The South Texas College Police Department maintains strict standards with respect to the handling, security and disposition of found, recovered, or evidentiary property.

PUBLIC INFORMATION

The South Texas College Police Department works with the Public Relations Office in disseminating information to the media.

RECORDS

The South Texas College Police Department documents and retains all records of police activities in the ARMS CAD database.

CLERY ACT REQUIREMENTS

The South Texas College Police Department maintains records required by the Federal Clery Act, provides summary reports to the Department of Education, and posts the past three years of Clery Act crimes to the college website.

RACIAL PROFILING REPORTS

The South Texas College Police Department maintains records pertaining to traffic stops and provides annual reports to TCOLE.

TRAFFIC ACCIDENT INVESTIGATION AND ASSISTANCE

The South Texas College Police Department performs all the necessary services at an accident scene including, but not limited to, providing assistance, conducting investigations, and taking appropriate law enforcement action.

TRAINING

All police officers employed by the South Texas College Police Department will meet the training requirements mandated by TCOLE and additional training scheduled by the Chief.

1-100 SOUTH TEXAS COLLEGE POLICE DEPARTMENT OPERATING PROCEDURES

The South Texas College Police Department Operating Procedures are provided to inform and guide all employees concerning department matters. All employees of the South Texas College Police Department shall comply with the procedures and rules contained herein and with all college policies.

1-102 NUMBERING SYSTEM USED IN THE OPERATING PROCEDURES MANUAL

A decimal system is used to number each volume, chapter, section, and subsection of this procedures manual.

A typical reference under this system would be "1-249.06."

The "1" indicates the material is contained in the first volume (1-249.06).

The "2" indicates the material is contained in Chapter 2 (3-249.06);

The "49" indicates the material is contained in Section 49 (3-249.06);

The ".06" indicates the material is contained in Subsection .06 (3-249.06).

1-102.01 DISCIPLINARY SYSTEM USED BY THE SOUTH TEXAS COLLEGE POLICE DEPARTMENT

The South Texas College Police Department follows the disciplinary system established by the College Board of Trustees and implemented by the Human Resources Department. This system includes the following forms of discipline:

Training, counseling, documented oral correction.

Written reprimand.

Suspension or termination.

1-103 INFORMATION ON THE OPERATING PROCEDURES MANUAL

All South Texas College Police Department employees shall be provided the Operating Procedures Manual. Employees shall sign a receipt, acknowledging receipt of the Manual and the responsibility for understanding its contents.

1-103.01 REQUESTS FOR AMENDMENTS

Requests for revisions, additions, or deletions to the South Texas College Police Department Operating Procedure Manual shall be forwarded to the immediate supervisor. A final decision regarding any policy changes will be made by the Chief.

1-104 KNOWLEDGE OF PROCEDURES AND INSTRUCTIONS

Employees shall be held accountable for knowing the contents of all procedures and instructions issued, including those that have been disseminated during their absence from work.

1-105 ADMINISTRATIVE INSTRUCTIONS

Administrative instructions are issued to announce the following:

The appointment of new employees

The assignment or transfer of employees from one campus to another

The promotion or demotion of employees from one rank to another

Special Duty assignments

Training assignments

Career development

Details

Dismissal or reinstatement of an employee

Resignation, retirement or death of an employee

1-200 DEFINITIONS USED IN THE MANUAL

The following words and terms shall have the meanings assigned, unless it is apparent from the context that they have a different meaning.

AUTHORITY: Legal or rightful command or power.

BOOKING: The processing of arrested persons.

CHAIN OF COMMAND: The continuous line of authority to and from the Chief of Police.

CIVILIAN: A non-sworn department employee.

COMMAND: A specific area within the South Texas College Police Department organizational structure or an event over which a presiding officer has authority and is responsible for managing.

DEPARTMENT: South Texas College Police Department.

DETAIL: Personnel assigned to a specific mission.

CAMPUS: A distinct section of property and buildings designated by the College Board of Trustees.

EMPLOYEE: All sworn and civilian employees of the South Texas College Police Department.

INCIDENT COMMANDER: An officer, who by rank, seniority or designation is in charge at an emergency scene, investigation or planned special event.

LAWFUL ORDER: Any written or oral directive issued by a supervisor or a proper authority in the course of work that is in compliance with the South Texas College Police Department rules and regulations.

SUPERVISOR: An employee who is officially assigned to supervise other employees.

TIME: All references will be to the 24-hour clock system. Example: 12:30 A.M. is 0030 hours/ 4:00 P.M. is 1600.

WORK DAY AND WEEK: A work day begins and ends at 2400 hours. The work week for the South Texas College Police Department begins on Sunday and ends on Saturday.

1-300 GENERAL ADMINISTRATION

1-301 GENERAL DUTIES OF THE CHIEF

The Chief, under the direction of the Vice President Finance and Administrative Services, shall supervise the South Texas College Police Department.

The Chief has the authority and responsibility for the management, direction, and control of the South Texas College Police Department.

The Lieutenant will assume command in the Chief's absence. If the Chief and Lieutenant are temporarily absent, a Sergeant will be designated to command.

1-302 MISSION:

To provide a safe and secure learning environment for students, faculty, and staff of South Texas College.

1-400 Department Organization and Functions

The South Texas College Police Department is a component of the Finance and Administrative Services Division. The South Texas College Police Department Organization Chart will be updated as determined by the Chief.

2-100 Filing of Complaints

It is the duty of all South Texas College Police Department employees to report any perceived violation of regulations, policies, procedures, state, or federal laws committed by another employee. An employee of the South Texas College Police Department who initiates a complaint of alleged misconduct regarding another shall inform the immediate supervisor of the complaint, unless the complaint is against that supervisor, in which case the complaint will be forwarded to the Chief.

2-101 COMPLAINT INVESTIGATIONS - GARRITY DECISION

South Texas College Police Department employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court).

All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority when compelled by a representative of the college, consistent with the constitutional rights of the individuals.

All statements of involved police employees shall be signed and sworn. Any employee found to have intentionally given a false statement shall be subject to disciplinary procedures, up to and including dismissal.

2-102 HARASSMENT

Definitions

Harassment - any communication or other activity that occurs based upon an individual's protected class status which may be considered discriminatory, derogatory or biased.

Protected class status - an individual's race, color, creed, religion, ethnic/national origin, gender, age, disability (including pregnancy), or characteristics identified as sexual orientation, affection preference, marital status, familial status, status with regard to public assistance and veterans status.

Sexual harassment - any sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

Submission to or rejection of such conduct by an individual is used as basis for employment decisions affecting such individual; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Note: Courts have recognized acts of harassment directed at an individual because of gender, to be sexual harassment even though no behavior of a sexual nature occurred.

2-103 HARASSMENT REPORTING

Employees who feel they have been subjected to harassment, or who have knowledge of, or believe that harassment has occurred, or is occurring within South Texas College, are encouraged to report these concerns to the Human Resources Department. The Human Resources Department is the first contact for all harassment complaints.

Supervisors who become aware of harassment or receive a complaint of harassment shall take immediate action. In all cases supervisors shall document the information on the harassment incident and forward it to Human Resources, with a copy to the Chief. All documentation shall include, but not be limited to: the complaint activity, time, place, persons involved, and witnesses.

A supervisor may attempt to resolve a minor complaint, but before final resolution the complaint and recommended solution shall be sent to Human Resources for review. The matter will be officially resolved if all parties are satisfied with the proposed resolution and Human Resources concurs with the resolution.

All correspondence on harassment complaints is to be kept confidential with only the involved parties and those determined to have a need to know being notified.

2-200 Performance Evaluations

2-201 EMPLOYEE EVALUATION REQUIRED

Supervisors shall ensure that employees are evaluated at least once every year. Employees may be evaluated more frequently if deemed necessary by a supervisor.

2-202 EVALUATION PURPOSE AND PROCEDURE

The purpose of a performance evaluation is to improve communication regarding performance expectations as well as to recognize the level of accomplishment in the performance of an employee's duties. Performance evaluations for all South Texas College Police Department personnel shall be completed on the college Human Resources performance evaluation form. The process is focused on a comparison of the employee's actual level of performance measured against performance expectations. The comparison of actual performance with department expectations and standards serves both as a basis for recognition of individual accomplishment as well as a method to plan improvement where deficiencies are found. The supervisor completing the performance review must review it with the affected employee. A signature does not indicate agreement with the evaluation. The supervisor shall forward all performance evaluations to the college Human Resources Department.

2-300 Training and Records Management

2-301 TRAINING

I. PURPOSE

To outline the training program for the maintenance of Texas Commission on Law Enforcement Officer Standards and Education (TCOLE) licenses.

II. PROCEDURE

On-going training is essential to providing a professional level of service in law enforcement. The training offered by the South Texas College Police Department will be consistent with the department's goals and objectives.

The mission of the South Texas College Police Department training program is to provide relevant and pertinent training to all employees.

South Texas College Police Department training will be provided in compliance with federal, state and city mandates, including use of force, legal update training and competency testing.

It is the responsibility of the Sergeant to ensure that subordinates are trained and able to carry out assigned tasks and responsibilities.

Sworn employees will report changes of name and/or address to TCOLE and the college.

Sworn employees must complete 40 hours of TCOLE required training every two years.

The South Texas College Police Department is not obligated to provide this training; however, participation in annual department training may meet or exceed licensing requirements.

Any formal action that is taken or pending against an employee's TCOLE license shall be immediately reported by the employee to the Sergeant.

Upon being notified that an employee's license is no longer valid or active, regardless of the reason, the Sergeant shall take action to ensure that the affected employee is not acting in a capacity that requires them to be a licensed police officer.

2-302 TRAINING RECORD MANAGEMENT

I. PURPOSE

To establish procedures regarding the management of and access to the South Texas College Police Department training records.

II. PROCEDURE

Records shall be maintained on ARMS to document training of all the South Texas College Police Department employees.

3-100 Personal Appearance and Uniforms

3-101 PERSONAL APPEARANCE

The South Texas College Police Department has established a standard of uniform appearance for the safety of officers and to project a positive, professional image to the public.

Employees will wear the appropriate clothing or uniform for their assignment, be well groomed and exhibit a professional appearance while performing their official duties. Clothing and grooming shall be appropriate for a business environment.

Clothing, uniforms and equipment will be selected and authorized taking into consideration safety, versatility, durability, compatibility, and appearance. Only authorized clothing, uniforms and equipment shall be worn.

3-101.01 PERSONAL APPEARANCE POLICY – SUPERVISOR RESPONSIBILITY

It is the responsibility of the Sergeant on a daily basis to ensure the grooming and dress standards are upheld. The Sergeant will conduct periodic inspections of all uniforms.

3-102 OFFICIAL CHANGES TO UNIFORM POLICY

Only the Chief of Police may approve a uniform change or addition to employee uniform requirements.

3-103 PROFESSIONAL APPEARANCE STANDARDS

Sworn employee and non-sworn uniformed employee hairstyle and grooming standards:

All sworn employees and non-sworn, uniformed employees will keep their hair clean, neatly trimmed and well-groomed.

Dyed, tinted, or bleached hair must be within a naturally occurring color range and must be professional in appearance. Naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.

Hair shall be maintained so that it does not detract from a neat, professional appearance or interfere with any specialized equipment or employee safety and effectiveness.

Wigs and hairpieces may be worn provided they comply with the above.

Employees may be temporarily excused from these hair and grooming regulations while assigned to a special detail or assignment. However, such employees will again comply with these regulations once the special detail or assignment is completed or whenever wearing the official uniform.

Specific Sworn Employee Male Standards:

Hair shall not be worn over the ear or cover any part of the face below the eyebrows. Hair shall not touch or extend below the top of the shirt collar when standing with the head held erect.

Mustaches shall be neatly trimmed and shall not extend below the corners of the mouth.

Sideburns shall not extend beyond a point even with the bottom of the ear lobe. They shall be neat, trimmed and extend in a clean-shaven horizontal line. Sideburns shall not protrude forward more than one inch from the front of the ear.

Beards and goatees are not permitted for sworn employees whose permanent assignment requires them to wear the South Texas College Police Department uniform.

Specific Sworn Employee Female Standards:

When in uniform, shoulder or shorter length hair may be worn down. Hair shall not cover the front of the face below the eyebrows; longer hair shall be pulled away from the face and hang no longer than the lower neck and shoulders if not in a ponytail or braid(s). If

hair is worn in a pony-tail or braids, hair may touch as low as the top of the shoulder blades. Headbands are not allowed.

Civilian (Non-Uniformed) Hairstyle and Grooming Standards:

All civilian employees will keep their hair clean and neatly combed. Hair must be styled in such a manner as to not interfere with their assigned duties.

Dyed, tinted or bleached hair must be within a naturally occurring color range and must be professional in appearance. For purposes of this policy, naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.

Hair must be styled in such a manner so that it does not interfere with any specialized equipment and will not interfere with employee safety and effectiveness.

Mustaches and beards are allowed. They must be kept neatly trimmed.

3-104 JEWELRY

Employees may wear jewelry that is clean, neat and of a style that presents a professional appearance and that is consistent with the type of assignment and duty performed. Jewelry that represents a safety hazard or interferes with the performance of one's job is not allowed.

Standards for uniformed employees wearing jewelry:

One watch, one ring per hand and a medical alert bracelet are allowed.

If worn, neck jewelry shall not be visible.

One earring per ear is allowed for a female employee. Earrings shall be no more than ¼ inch in diameter and are limited to "stud" or "post" type earrings. Earrings shall not extend below the bottom of the ear lobe or have loose or dangling parts.

Plugs (used to enlarge the piercing holes in the ear lobes) are prohibited.

No tongue studs or visible body piercing (other than as described in #3), will be worn.

Jewelry or personal ornaments shall not be affixed to any uniform or equipment.

No dental accessories (e.g. mouth grills or tooth jewelry) may be worn unless deemed necessary by a medical or dental professional.

The Sergeant may grant an exception to employees for a specific assignment.

3-105 HAIR ACCESSORIES – UNIFORMED EMPLOYEES

Hair accessories may be worn by uniformed female employees.

Hair accessories shall be navy blue, brown, black gold, or silver colored.

No bows, headbands, beaded decorations or other decorative items may be worn.

3-106 EYEWEAR – UNIFORMED EMPLOYEES

Fully-mirrored or iridescent eyeglasses, including sunglasses, are not allowed for uniformed personnel.

Eyeglass frames, cords and chains must be navy blue, black, brown, silver or gold.

3-107 COSMETICS

Cosmetics may be worn by female employees but shall not detract from a neat, professional appearance.

3-108 COURT ATTIRE

All employees representing the South Texas College Police Department in court shall be clean and neat in appearance.

Male employees shall wear their uniform, a business suit or a sport coat and tie.

Female employees shall wear their uniform, a business suit, dress, or slacks and shirt consistent with business attire.

3-109 PLAINCLOTHES ATTIRE

Civilian employees and employees exempt from wearing the specified uniform for their job classification shall wear appropriate business attire.

3-110 UNIFORMS

Uniform standards:

Uniforms shall be kept neat, clean and pressed.

Uniforms with holes, tears, or showing obvious signs of wear or repair shall not be worn. Uniforms shall not be patched.

The long-sleeve uniform shirt shall be worn with the authorized mock neck shirt.

If an undershirt is worn, it shall not be visible.

Leather and metal-wear shall be polished. Cracked, worn-out leather shall be replaced.

Authorized South Texas College Police Department uniforms shall not be altered in any way to change their general appearance or function.

The only attachments to be worn on the uniform shirt are:

Rank and service insignia;

Badge;

Name plate;

Authorized South Texas College Police Department patch on each sleeve

3-111 BADGES

Uniformed South Texas College police officers shall wear the department breast badge on the outermost garment, and it shall be clearly visible, shined and in good repair.

3-112 UNIFORM SHOULDER PATCHES

The authorized South Texas College Police Department shoulder patch shall be worn on the shoulder of each shirt and jacket of all uniformed officers.

3-113 NAME TAGS

All South Texas College police officers in uniform shall wear a nametag. The nametag shall be affixed to the outermost garment and shall be in plain view. The nametag shall have the employee's last name.

The nametag shall be worn directly over the upper pocket seam and centered over the right hand jacket or shirt pocket.

3-114 LEATHER AND ACCESSORIES

All South Texas College Police Department authorized leather equipment shall be black. This includes all leather holders and keepers attached to the gun belt.

3-115 BODY ARMOR EXTERNAL VEST CARRIER

South Texas College police officers are provided with a level II ballistic vest and carrier. The vest carrier shall be worn with the badge and metal name plate exposed.

3-116 RANK AND SERVICE INSIGNIA

Sergeants shall have triple chevrons sewn on both sleeves of all uniform shirts and jackets.

3-200 Personal Equipment

3-201 AUTHORIZED EQUIPMENT AND WEAPONS

I. PURPOSE

To provide procedures regarding the distribution, maintenance and possession of South Texas College owned police-related equipment.

II. PROCEDURE

While working, sworn South Texas College employees shall only carry and use equipment and weapons that have been provided by the Chief, and only the weapons the employee has been trained and qualified in the use of.

III. EQUIPMENT

Equipment shall not be altered in any way to change its general appearance or function.

All South Texas College purchased equipment with the exception of weapons and clothing, shall be marked with the South Texas College identification number.

Employees on leave of absence in excess of 180 days, disability status, resignation, termination or retirement shall relinquish all South Texas College equipment immediately upon the start of such status.

South Texas College employees under suspension shall surrender their badges, identification card, weapons, and any other college issued equipment.

No employee may wear the South Texas College Police Department uniform, be armed, or carry a badge or police identification while under suspension.

During a suspension period, an employee cannot carry a weapon based on their status as a licensed peace officer with South Texas College Police Department. A suspended police officer may carry a weapon during the suspension period, provided they have other legal authority to do so (e.g. State of Texas Concealed Weapons Permit).

3-202 REQUIRED EQUIPMENT

Every sworn South Texas College employee shall be provided the following equipment:

- Firearm (handgun)
- Leather equipment and accessories
- Handcuffs and key
- Taser
- ASP
- Ammunition
- Badge
- Identification card
- Motorola digital radio
- Level II ballistic vest and carrier
- Nameplate

3-203 DUTY HANDGUNS

Glock model 22 generation IV handgun.

Upon successful completion of training and qualification, the Glock model 22 generation IV will be the only handgun a sworn employee is authorized to carry while on duty.

The designated firearms instructor shall maintain a list of the Glock model 22 generation IV serial numbers and the police officer who is assigned that handgun.

Procedures applicable to all handguns.

All sworn employees shall attend and pass periodic firearms training as required by TCOLE and the Chief.

All sworn employees shall carry the assigned handgun while on duty and in uniform.

All handguns carried while on duty shall be fully loaded with the assigned ammunition.

All handguns carried while on duty shall be carried in the assigned holsters.

Sworn employees working in uniform shall carry two additional fully loaded magazines for the Glock model 22 generation IV handgun.

When handling the handgun, an employee's finger shall be kept out of the trigger guard and indexed on the frame of the handgun until the employee is on target and intends to fire the gun.

When an officer successfully completes the required firearms qualification course each qualification period, the designated firearms instructor will enter the date, the make and model of the firearm(s) the officer has qualified with, and sign the form.

3-204 AUTHORIZED EQUIPMENT AND SPECIFICATIONS

A. Handcuffs

1. Every sworn South Texas College employee shall carry at least one set of handcuffs.
2. Plastic handcuffs may be used to supplement standard handcuffs in emergency situations.

a. Plastic handcuffs may be used in mass arrest situations and should be available in all police vehicles.

b. Plastic handcuffs should not ordinarily be used in felony arrests or for restraining mentally ill individuals.

c. When using plastic handcuffs, the employee should monitor the arrestee to prevent injury.

B. ASP (Impact Weapons)

1. Every sworn South Texas College employee shall carry an ASP impact weapon while working in uniform.

2. The impact weapon shall comply with the following requirements:

b. Overall extended length not to exceed 26 inches.

c. Black finish

C. Conducted Energy Device (CED)

1. Sworn South Texas College Police Department employees shall carry a CED while working in a uniform capacity.

2. The CED shall comply with the following requirements:

A. Authorized Brand – TASER®

Authorized Model – X2

Authorized Cartridges – TASER® Brand compressed air cartridges

3-205 BALLISTIC VESTS

Purpose:

To provide procedures for the use of body armor worn by South Texas College sworn employees.

Procedure:

To maximize officer safety through the use of body armor in combination with prescribed safety protocols, ballistic vests are provided to all South Texas College sworn employees.

Sworn employees electing to wear body armor shall do so with external vest carriers and wear them in accordance with established procedures.

3-300 General Work Rules

The Lieutenant shall establish the work hours for shifts at the college.

3-301 EMPLOYEES TO REMAIN AT WORK UNTIL PROPERLY DISCHARGED

South Texas College sworn personnel shall work the full time assigned and shall not leave work until they are properly relieved, except in the following cases:

An employee assigned to duties not normally requiring continuity of assignment into the next shift shall remain at work until the end of the shift.

An employee is instructed to leave work by the Sergeant.

3-302 ABSENT WITHOUT LEAVE

Employees are absent without leave (AWOL) when they fail to report for work or abandon work or assignment without proper authorization. Absence without leave for more than two days is considered resignation from the position.

3-303 TELEPHONE AND ADDRESS REQUIREMENTS

A. Employee Phone Requirements

1. Employees are required to maintain a personal cell phone.

2. Employees shall update cell phone information with the Sergeant and the department administrative staff within three business days of a change in cell phone numbers.

B. Employee Address Requirements

1. A residential address shall be provided to the Sergeant and the department administrative staff.

2. South Texas College addresses shall not be utilized for any personal residential declaration or personal vehicle registration.

3. South Texas College addresses shall not be used as residential address on a driver's license or for receiving personal mail.

3-304 PHOTOGRAPHING AND FINGERPRINTING EMPLOYEES

The South Texas College Police Department will photograph and fingerprint all employees for identification purposes as a condition of employment. Identification data obtained on employees is classified as private and can only be released by the college pursuant to the provisions of the Federal Privacy Act.

3-305 RESIGNATIONS

When a South Texas College Police Department employee resigns, that employee will complete the Human Resources form designated for that purpose.

3-306 SMOKING/TOBACCO USE RESTRICTIONS

South Texas College Police Department employees will not smoke tobacco, including e-cigarettes products while on duty.

3-400 TIMEKEEPING AND PAYROLL

3-401 TIMEKEEPING RESPONSIBILITY

It is the responsibility of every South Texas College Police Department employee who is in a non-exempt status to punch in at the beginning of the shift and out at the end of the shift. When situations prevent the normal timekeeping procedures from being followed a time adjustment form will be submitted to the administrative staff as soon as practicable.

3-402 SALARY PAYMENTS

Electronic salary payments are made the first day of the month for the prior month's work.

3-403 ADMINISTRATIVE LEAVE

The Chief or designee may place an employee on a college administrative leave whenever that person is involved in a traumatic incident that may involve a life-threatening situation, serious injury or death or under circumstances where an employee's conduct justifies an immediate release from duty. While on administrative leave, employees shall be available for investigative needs and to participate in an Employee Assistance Program or Peer Support Team session.

3-404 RELIEVING EMPLOYEES FROM DUTY

The Chief shall relieve an employee from duty when:

A. An employee is involved in a serious or traumatic event such as a fatal accident or shooting.

B. The sergeant initiates a complaint involving potential disciplinary action in a serious matter.

3-405 MANDATORY COUNSELING

When an employee is placed on administrative leave due to a traumatic event, the Chief of Police shall mandate that the employee obtain appropriate counseling.

3-500 EMPLOYEE HEALTH AND WELLNESS

3-501 EMPLOYEE HEALTH AND WELLNESS

I. PURPOSE

To establish procedures, rules and regulations regarding employee medical status.

II. PROCEDURE

The South Texas College Police Department will adhere to all applicable state and federal laws and college procedures regarding employee injury, illness, and leaves of absence.

Employees will provide all requested documentation for the processing of leave requests and returning to work after injury, illness, and/or extended leaves to their supervisor.

III. DEFINITIONS

Affected Employee: The employee affected by a change in job status due to injury or illness.

Employee Designee: The individual acting as a liaison between the South Texas College Police Department and the Affected Employee.

Essential Job Functions: The fundamental duties of a position.

Fitness for Duty Evaluation: Department-ordered medical examination to evaluate whether an employee is able to perform the essential job functions.

Limited Duty: A temporary work assignment as the result of the Affected Employee not being able to perform his/her essential job functions, according to a health care provider.

Accident Report: A South Texas College Human Resources Department form that must be completed and submitted within 24 hours of a work-related injury.

Worker's Compensation: Benefits for medical care and lost time prescribed by state law for employees who are injured while on the job.

IV. PROCEDURES / RULES / REGULATIONS

Disclosure of Employee Medical Information

Employee medical information is classified as private and is protected from unauthorized disclosure.

Medical information shall be shared only with South Texas College personnel who have a need to know.

Permission must be obtained from the Affected Employee or his/her designee prior to disclosure. Employee medical documentation shall be maintained only in the employee's medical file.

Medical Notifications

Medical notifications shall be provided as follows:

Employee hospitalizations.

The Affected Employee or the Employee's Designee shall notify the Affected Employee's supervisor.

The supervisor shall notify college Human Resources Department and provide the following information:

Affected Employee's name, employee number and position.

Affected Employee or the Employee Designee's contact information. (To discuss necessary forms, work status, etc.)

Anticipated length of incapacitation.

If an employee is unable to perform his/her essential job functions due to a medical condition.

The Affected Employee shall notify his/her immediate supervisor prior to returning to work.

The Affected Employee's supervisor shall notify the college Human Resources Department.

Medical documentation of the employee's condition will be requested by the college Human Resources Department.

Work-Related Injuries

Employees injured while at work may be eligible for Worker's Compensation benefits.

A. South Texas College Police Department employee injured while at work shall:

Seek a medical examination, if appropriate. In an emergency situation, the employee should seek medical treatment at the nearest hospital's Emergency Room.

Complete the college Human Resources Department Accident form and forward to the immediate supervisor within 24 hours of incurring the injury.

Supervisor responsibility of an employee injured at work:

If the injured employee is unable to complete the Accident form, the supervisor shall complete it and forward to the college Human Resources Department within 24 hours of the injury.

Returning to Work After Injury/Illness

Prior to returning to work on full or limited-duty, an employee may be referred to a medical specialist.

The college Human Resources Department will determine the following:

Employee has had any major illness or injury or major surgery.

Employee has been off duty due to illness or injury for thirty calendar days or more.

Employee has been placed on restrictions for more than seven calendar days by their personal healthcare provider.

The college Human Resources Department may direct an employee returning to work after an absence caused by one or more of the circumstances outlined above, to have a Report of Work Ability completed by their physician.

Limited Duty: Work-Related

An employee with work restrictions verified by a physician may be reassigned temporarily to a limited-duty assignment.

Employee responsibility when requesting a limited duty assignment:

Notify the supervisor and the Human Resources Department prior to returning to work.

Provide all forms and statements necessary to substantiate work limitation and restrictions.

Submit Work Ability forms requested by the supervisor and the Human Resources Department.

During the period of the temporary reassignment, the Affected Employee is expected to perform all of the duties of the limited duty assignment.

Sworn employees working a limited duty assignment shall not work off-duty employment.

Supervisor responsibility related to limited duty employees:

Identify a limited duty work assignment that meets the Affected Employee's

work restriction. If an assignment that meets the employee's work restrictions

cannot be identified, contact the Human Resources Department for additional

Ensure the Affected Employee does not work outside his/her work restrictions.

Forward all medical documentation received to the Human Resources Department.

Returning to full duty after a limited-duty assignment:

Prior to returning to full duty status, a completed Report of Work Ability form signed by a physician stating that the affected employee may return to work with no work restrictions/limitations shall be submitted to the supervisor and Human Resources Department.

Limited Duty: Non-Work Related

An employee placed on work restrictions by a physician as the result of a non-work related injury may be reassigned temporarily to a limited-duty assignment for a period of up to six months.

If the affected employee is not ready to return to full duty without restrictions within six months after such limited duty restrictions were imposed, the Department may terminate the limited duty assignment and offer the employee a medical time off.

Employee responsibility when requesting a limited duty assignment:

Notify the supervisor prior to returning to work.

Provide all forms and statements necessary to substantiate work limitations/restrictions.

Provide Report of Work Ability forms as requested by the supervisor and Human Resources Department.

During a period of temporary reassignment, the Affected Employee will be expected to perform all of the duties of the limited duty assignment.

Sworn employees working a limited duty assignment shall not work off-duty.

Sergeant responsibility related to limited duty employees:

Gain approval from the Lieutenant, Chief, and Human Resources to temporarily reassign the affected employee to a limited duty assignment.

Identify a limited duty work assignment that meets the Affected Employee's work restriction. If an assignment that meets the employee's work restrictions cannot be identified, contact the Human Resources Department for assistance.

Ensure the Affected Employee does not work outside his/her work restrictions.

Forward all medical documentation received to the Human Resources Department.

Returning to full duty after a limited-duty assignment:

Prior to returning to full duty status, a completed Report of Work Ability form shall be completed by the Affected Employee's physician and provided to the Human Resources Department. The Work Ability form must be signed by a physician and state that the employee may return to work with no work restrictions/limitations.

E**. Prescription and Over-the-Counter Medication**

It is the employee's responsibility to report for work able to perform the essential duties of his/her job.

An employee who is taking medication(s) which may interfere with the safe and effective performance of his/her essential job functions and/or job duties or the operation of College equipment, shall notify the supervisor prior to the beginning of his/her next assigned shift.

If a question exists regarding an employee's ability to safely and effectively perform his/her essential job functions while using such medications, clearance to work from a qualified physician may be required.

The supervisor should contact the Human Resources Department for assistance.

If the College determines that an employee failed to make the appropriate notifications regarding medication use or that the employee is working outside of the scope of the modified work assignment, disciplinary action may be taken.

3-502 HEALTH SCREENING AND FITNESS ASSESSMENT – SWORN EMPLOYEES

I. Purpose

To establish Health Screening and Fitness Assessment guidelines for sworn employees.

II. Policy

All sworn South Texas College employees will participate in the Health Screening and Fitness Assessment as determined by the Chief.

III. Rules/Regulations/Procedure

The Health Screening and Fitness Assessment process will be overseen by the Sergeant.

Assessment Components:

Health Screening.

Fitness Assessment.

A sworn employee's failure to participate in the mandatory components of the Health Screening and Fitness Assessment process (including follow-up appointments deemed necessary), may result in discipline up to and including termination.

3-600 Work Benefits

All sworn and civilian personnel are entitled to receive days off each year equaling the total number of days off delineated by the Human Resources Department for college employees.

3-700 Overtime and Court

3-701 OVERTIME

Overtime accrual shall be kept to a minimum. Normal administrative and supervisory activities shall be accomplished during assigned work hours.

Overtime accrual must be obtained from the supervisor except in emergency situations. Overtime accrual will only be allowed for specific department-related reasons.

Overtime may be accrued for court time when such time occurs outside of compensated College time. The court case must be related to an incident arising from the employee's department employment or from acting in a law enforcement capacity. Compensation shall be in accordance with existing Human Resources Department requirements.

3-702 APPROVAL OF OVERTIME REQUESTS

All overtime requests will be prepared by the supervisor a calendar month in advance and approved in advance by the Chief, Vice President Finance, and the College President.

3-703 DEFINITIONS APPLYING TO COURT-RELATED OVERTIME

The following definitions shall apply to court-related overtime:

Court-Related Overtime: Any compensatory time or paid overtime earned as a result of a court trial or court-related activity.

Subpoena: An official court order for an individual to appear in court. The Subpoena remains in effect until the case is over or the Issuing Authority excuses the individual under Subpoena.

Appear: A directive on a Subpoena or Trial Notice ordering an individual to appear in court.

Standby: An off-duty status in which an employee must:

Be reachable by phone, cell phone or pager; and

Be in court within one hour of such call

Subpoena or Trial Notice with a "Standby" Designation:

A Subpoena or Trial Notice that specifies by notation that the employee is on "Standby." This notation supersedes the order to appear for trial, and directs the employee to remain on "Standby" for the period stated on the Subpoena or Trial Notice.

Issuing Authority: Refers to the court, attorney, or representative of the court or attorney who has issued a Subpoena or Trial Notice with or without a "Standby" designation.

Direct Contact: In person or telephone communication between an individual delivering a message and an individual intended to receive the message (Does not include voice mail, or second party messages.

3-704 SUBPOENAS OR TRIAL NOTICES - EMPLOYEE RESPONSIBILITY

Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing.

A Subpoena or Trial Notice is an order to appear in court.

Upon direct receipt of a Subpoena or Trial Notice, the employee shall indicate on the receipt portion of the Subpoena or Trial Notice all current phone numbers, including cell phone and pager numbers where the employee may be contacted. The receipt shall then immediately be returned to the official issuing the Subpoena or Trial Notice.

Upon receipt of a Subpoena or notification thereof, the employee must make direct contact with the court representative indicated on the Subpoena or that person's designee. This is to determine any "Standby" period and to receive specific trial information. Contact shall be made during regular business hours on the first business day after receipt of the Subpoena.

If a conflict with the date of trial or specified standby period is known or arises, the employee shall notify the issuing authority during regular business hours on the first business day that the conflict is known to exist. Employees must obtain permission from the Issuing Authority to be excused from court or to make alternative arrangements.

Upon receipt of a Trial Notice, direct contact with a court representative is not required unless a known conflict exists.

3-705 STANDBY COURT TIME

Standby court time is time spent being available to proceed immediately to court for the purpose of testifying. Employees on "Standby" status must be available by telephone and available to return the phone call within a 5-10 minute time frame. If notified to appear, employees on standby must appear in court within one hour.

3-706 EMPLOYEES LATE OR FAILING TO APPEAR FOR COURT

South Texas College Employees unable to attend court for legitimate reasons shall notify the agency issuing the Subpoena or Trial Notice on the first business day the conflict is known to exist. Unacceptable absences may include, but are not limited to, off-duty employment, local training, or childcare issues.

Unexcused tardiness or absences from court appearances that result in the dismissal of a case or generate a written complaint will be documented for possible disciplinary action.

3-800 OFF-DUTY EMPLOYMENT

I. Purpose

To provide employees with information related to off-duty employment.

II. Procedure

All off duty employment must be approved by the Chief.

Off-duty approvals expire on August 31st of each calendar year. Approval requests must be re-submitted annually.

III. General Rules

All South Texas College Police Department employees who pursue off-duty employment must apply for and receive approval, before the off-duty employment commences.

If a complaint is received about the conduct of an officer working an off-duty job, the Sergeant will investigate the complaint. The Sergeant may do periodic inspections of officers working at off-duty employment sites.

Employees shall adhere to all local, state and federal tax laws and revenue income reporting requirements.

The official South Texas College uniform, firearms, ammunition, and taser, will **not** be used in off duty employment.

Police Officers may not enter into employment outside of South Texas College that will cause a conflict of interest or may discredit the institution. No Police Officers may seek secondary employment in business of an adult nature or where the primary source of income is derived from the sale of alcoholic beverages.

To be approved for off-duty employment, the officer must not be on disciplinary suspension or probation, not be the subject of an internal investigation, and must be performing satisfactorily in every category on his or her last performance evaluation.

Officers who utilize their police authority while working in off-duty employment will immediately notify the Sergeant in the event any of the following incidents occur:

A detention of a subject is made pending arrest.
Force is used and injury is sustained.

The officer suffers an injury requiring medical attention.
News media films or interviews the officer.

The following off duty employment is not allowed:

Bouncer.
Repossesser.
Bill or loan collector.
Employment associated with the bail bond business.
Case preparation or investigative activities for an attorney.
Employment in any establishment when gambling is occurring.
Businesses which provide pornographic material.
Businesses that provide services of a sexual nature.
Premises where alcohol is consumed.
Businesses where alcohol is the primary source of revenue.
Any employment that degrades the reputation of South Texas College.

IV. Hours of Employment

The maximum combined number of hours worked on off-duty employment shall not exceed 20 hours in any consecutive seven-day period.

Any off-duty employment that exceeds five hours shall be followed by a minimum six-hour period before reporting to work at South Texas College.

IV. Requests for Authorization of Outside Employment

Requests for authorization of off-duty employment must contain the following information:

The employer's name, address, phone number, and a description of the type of business.

A description of the work to be performed.

The number of anticipated hours per week.

The name, number, and expiration date of any required licenses.

A listing of all law enforcement equipment the officer must use on the job.

3-900 Drug and Alcohol Testing

3-901 DRUG AND ALCOHOL TESTING PROCEDURE

The South Texas College Police Department conducts drug and alcohol tests of all applicants for police officer positions. In addition, commissioned police officers are tested periodically as determined by the Chief.

3-902 EMPLOYEE DRUG AND ALCOHOL TEST PROCEDURE: SERGEANT RESPONSIBILITY

In the event of drug and alcohol testing, the Sergeant shall:

Determine if "Reasonable Suspicion" exists that drugs or alcohol have been used.

Document the incident including what was observed, what occurred, and what actions were taken.

Ensure that the employee is not allowed to eat, drink, smoke, or use restroom facilities until collector is present.

3-903 DRUG AND ALCOHOL TESTING: OFF-SITE COLLECTION PROCEDURE

Monday through Friday, 0800 to 1700 drug testing will be done at the Human Resources Department designated collection site.

Upon determining that Reasonable Suspicion for drug and alcohol testing exists the following shall occur:

The Escort shall accompany and maintain visual contact of the employee and ensure that the employee does not eat, drink, smoke or use the restroom.

The Sergeant shall provide the following information:

Employee's name

Employee's badge number

Department

Name of Escort Officer

Direct contact number for Escort Officer

Sergeant's name

Sergeant's telephone number

The Escort and Employee will provide the clinic a photo ID upon check in.

Employee will be asked to sign clinic provided forms.

3-904 DRUG AND ALCOHOL TESTING: ON-SITE COLLECTION PROCEDURE

If the designated drug and alcohol testing site is not open, testing shall be done at the South Texas College Police Department office.

Upon determining that Reasonable Suspicion for drug and alcohol testing exists, the following shall occur:

The Escort shall accompany and maintain visual contact of the Employee and ensure that the employee does not eat, drink, smoke or use the restroom until the Collector is present.

The Escort officer shall transport the Employee to and from the designated collection area.

The Escort officer shall obtain the following information from the officer being tested:

Employee's name.

Employee's "A" number.

4-100 Schedules, Vehicles, and Equipment

4-101 SCHEDULING PROCEDURES

The Sergeant shall establish the work hours and shifts for the sworn officers, ensuring that staffing levels meet the requirements for security at the college. Officers shall report to duty at the time and place specified in full uniform and properly equipped for immediate duty.

4-102 INSPECTIONS – VEHICLES

Patrol vehicles shall be inspected before each shift by the officer using the vehicle. Officers must check for missing equipment and defects to the vehicle. Defects to a patrol, vehicle shall be reported by the inspecting officer as follows:

Damage that may have resulted from an accident shall be immediately reported to the Sergeant, who shall ensure that the proper procedure for reporting an accident involving police vehicles is followed. The inspecting officer shall also document the damage on an ARMS Incident Report.

Minor problems or damage (i.e., a squeak or dome light out) shall be reported to the Administrative Assistant for repair as soon as practicable.

Problems or damage to a vehicle that potentially threatens officer safety (i.e., headlight, emergency lights, or siren out) should be reported to the Sergeant immediately.

4-103 EQUIPMENT REQUIRED IN VEHICLES

Officers shall inspect the equipment kept in their patrol vehicle. Each patrol vehicle is required to carry the following:

One M4 loaded with the safety on

Two ammunition magazines with ammunition loaded

One 12 gauge shotgun loaded with the safety on

External ballistic vest

Ballistic shield

Helmet

One fire extinguisher

One first-aid kit (fully stocked)

A supply of latex gloves

One blanket

Two dozen plastic handcuffs

Two rolls of police line tape

Three traffic cones

Five flares

One 10 lb. sledge hammer

One pry bar

One pair bolt cutter

A supply of plastic evidence bags (assorted sizes)

4-104 VEHICLE RESPONSIBILITY

Employees who are authorized to drive South Texas College Police Department vehicles are responsible for the proper use and parking of vehicles assigned to them.

Police vehicles shall only be operated by authorized personnel in a safe and lawful manner. A valid driver's license is required for anyone operating a South Texas College Police Department vehicle.

4-105 VEHICLE – SEAT BELTS

Employees operating or riding in an s South Texas College Police Department vehicle shall wear seat and shoulder belts in accordance with the manufacturer's recommendations.

4-106 VEHICLES – ALTERING DESIGN OR EQUIPMENT

Employees shall not alter, add or remove equipment in or out of any South Texas College Police Department vehicle without written permission from the Sergeant.

4-107 PREVENTIVE MAINTENANCE REQUIREMENTS

All South Texas College Police Department vehicles will be maintained in accordance with the manufactures recommendations. In addition, vehicle oil changes will be made subsequent to each college semester.

4-108 ON-DUTY ACCIDENTS

Any South Texas College Police Department employee involved in an accident while on official duty shall immediately request the dispatch telecommunicator to send the sergeant to the scene. Every effort shall be made to leave the vehicle(s) in the position it came to rest following the accident.

Employees involved in a vehicle accident while on-duty shall request another officer to submit an ARMS Incident Report and form CR-3 describing the circumstances involved in the accident as soon as is practicable. If an employee is unable to complete this report, the employee's Sergeant shall finish the report and the employee shall complete a statement as soon as possible.

Sworn employee(s) assigned to investigate an accident scene involving a College vehicle driven by another sworn employee shall gather the necessary information from the persons involved and complete a form CR-3.

4-109 RESPONSIBILITY OF THE SERGEANT

The Sergeant shall assign the investigation of the accident to an officer not involved as a driver or passenger in the accident.

4-110 PROCEDURE FOR USE OF SOUTH TEXAS COLLEGE CREDIT CARDS

South Texas College credit cards used for filling police vehicles shall be locked in the trunk safe. Credit cards for gators are maintained in a safe in the police building. The receipt for each gas purchase will be signed by the police officer who will also write the unit number and vehicle mileage on the receipt and place it in the locked cabinet at the entrance to the police building secure area. The Chief will sign each receipt subsequent to review and approval of the gas expense.

4-200 Records

4-501 LEGAL PROCESS INVOLVING THE PRODUCTION OR INSPECTION OF EVIDENCE OR RECORDS IN COURT

The evidence custodian is responsible for coordinating activities concerning the production or inspection of criminal evidence or records in court as required by legal process. In any case involving criminal evidence, the custodian will arrange for transportation of records or criminal evidence to court when compliance is ordered or deemed advisable.

4-202 INSPECTION OF RECORDS AND REPORTS BY THE MEDIA OR PUBLIC

Members of the news media and the public may inspect police records as allowed by law. These records are available only during regular business hours.

4-203 USE OF VICTIM PHOTOGRAPHS AND SURVEILLANCE CAMERA RECORDINGS

Photographs and surveillance camera recordings that are part of an active case investigation are not public and shall not be released to any individual or agency unless authorized by law. Photographs and recordings that are part of an inactive case investigation involving one or more of the following situations, are private and may not be released to any individual or agency except as provided by state law:

Sexual assault victim

Child abuse victim

Juvenile

Depiction of images which are clearly offensive to the common sensibility.

In addition, photographs and recordings that reveal the identity of any of the following individuals are private and shall not be released to any individual or agency:

Undercover law enforcement personnel;

Paid or unpaid informants; and/or

Victim or witness of a crime, if the victim/witness specifically requests that their identity not be revealed, and it has reasonably been determined by the agency that the release of such information may in fact pose a risk of threat to the victim or individual.

4-204 DEPARTMENT PERSONNEL RECORDS

The South Texas College Human Resources Department maintains a personnel file on all Police Department employees.

4-300 ARMS Incident Reports

4-301 REPORT RESPONSIBILITY

South Texas College Police Officers and other designated employees shall prepare ARMS Incident Reports within 48 hours for every incident they are dispatched to.

The Sergeant will decide to either approve the report or to return it for further information.

4-302 REPORT WRITING

Offense reports detail the elements of the crime or incident. Arrest reports detail the elements of probable cause for the arrest. Statements are made by individual officers pertaining to what the officer observed or heard and what action the officer took. The officer's statement includes what the officer can testify to in court. Arrest reports, officer statements, and reports for seizures of personal property shall include rationale and legal justification for the initial stop as well as justification for subsequent search/seizure.

All police reports shall include the following:

- All principal and relevant data fields on the ARMS Incident Report pertaining to the incident shall be completed.
- All principal and relevant individuals involved in the incident shall be listed in the case. This includes making a proper identification and documentation of all involved and/or associated individuals.
- A probable cause statement in felony arrests.
- A description of the incident that occurred and documentation of the necessary elements related to the crime or basis for arrest.
- Documentation of reason(s) for an in-custody arrest versus issuance of a citation.
- A comprehensive individual statement in all felony arrests when an officer has information that is important to the case and in all other incidents where statements are important.
- All principal and relevant information available to the officer at the time of the report shall be included in the report.

All police reports identifying and/or involving juveniles shall include:

- The school where the juvenile is enrolled or last attended.
- The parent/guardian information, including all contact phone numbers (home/work/cellular).

4-303 OFFICER'S STATEMENTS

Officers shall make a statement in any case that they could be required to testify in court, and those incidents that involve homicides, major crimes, felony arrests, gross misdemeanor arrests or misdemeanor arrests that have unusual circumstances.

A statement is essentially an officer's account of an incident. It should include all the information that an officer can testify to directly from his/her observations and senses. Joint statements are prohibited. Each officer must make their own individual statement. Statements should also include additional contact information not listed in the ARMS data entry field.

4-304 QUALITY REPORT REVIEW

It is the responsibility of officers to ensure their reports are complete and accurate. Substandard reports will be addressed by the Sergeant.

4-305 CORRECTION OF OFFENSE CODE

Officers shall title their reports with the appropriate available ARMS codes, to the best of their knowledge, using the information obtained at the crime scene and the elements of the crime as defined by state statute.

4-306 CHANGING AN EXISTING SUPPLEMENT

A supplement cannot be changed once it has been final approved in ARMS except when approved by the Sergeant, Lieutenant, or Chief.

5-100 Code of Conduct

5-101 CODE OF CONDUCT DEFINED

The South Texas College code of conduct is established to promote efficiency, discipline, and good public relations with the communities the college serves.

The conduct of South Texas College Police Officers is governed by the college code of conduct, this operating procedure manual, and applicable State and Federal law. All employees of the South Texas College Police Department are required to maintain a working knowledge of these documents and obey rules and regulations therein. The failure of a South Texas College Police Department employee to comply with these standards of conduct set forth in the manual and in law may result in disciplinary action, up to and including termination.

5-102 TRUTHFULNESS

The integrity of police service is based on truthfulness. Officers shall not willfully or knowingly make an untruthful statement, verbally or written, or knowingly omit pertinent information pertaining to his/her official duty as a South Texas College Police Officer.

These requirements apply to any report, whether verbal or written, concerning official business including, but not limited to, written reports, transmissions to telecommunicators and other employees via radio, telephone, and e-mail messages.

South Texas College employees are obligated under this policy to respond fully and truthfully to questions about any action taken that relates to the employee's employment or position regardless of whether such information is requested during a formal investigation or during the daily course of business.

5-103 VIOLATIONS OF THE CODE OF CONDUCT

Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from an oral reprimand to termination. The Chief may suspend a departmental employee pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, court ordered restriction, driver's license restriction, or other adverse legal action due to criminal behavior are subject to termination from employment.

5-104 CODE OF ETHICS

All sworn and civilian members of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the department.

5-105 USE OF DISCRETION

The police profession is one that requires officers to use considerable judgment and discretion in the performance of their daily duties. Officers have a large body of knowledge from Department policies and procedures, training, their own professional police experience and the experiences of their fellow officers to guide them in exercising proper judgment and discretion in situations not specifically addressed by Department rules and regulations. In addition, officers must always adhere to the following principles in the course of their employment with the South Texas College Police Department:

POLICE ACTION - LEGALLY JUSTIFIED: Officers must act within the limits of their authority as defined by law and judicial interpretation, thereby ensuring that the constitutional rights of individuals and the public are protected.

EQUALITY OF ENFORCEMENT: Officers shall provide fair and impartial law enforcement to all citizens.

LOYALTY: Officers shall be faithful to their oath of office, strive to uphold the principles of professional police service, and advance the mission of the Department.

5-106 IMPARTIAL POLICING (Reference is made to the STC Impartial Policing Procedure)

The South Texas College Police Department is committed to unbiased policing and to reinforcing procedures that ensure that police service and law enforcement is provided in a fair and equitable manner to all.

All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or

probable cause for a pedestrian or vehicle stop, investigative detention, arrest, non-consensual search or property seizure.

Except as provided below, officers shall not consider race, ethnicity, national origin, gender, sexual orientation or religion in establishing either reasonable suspicion or probable cause:

Officers may take into account the reported race, ethnicity, gender or national origin of a specific suspect or suspects on credible, reliable, recent, locally-based information that links specific suspected unlawful or suspicious activity to a particular individual or group of individuals of a particular race, ethnicity, gender or nationality. This information may be used in the same way officers use specific information regarding age, height, weight, etc. about specific suspects.

No person shall be singled out or treated differently as a consequence of his/her race, ethnicity, national origin, gender, sexual orientation or religion.

5-107 PROFESSIONAL POLICING (Reference is made to the STC Police requirement for Professional Conduct)

Officers shall utilize the following practices when conducting pedestrian and vehicle stops:

Be courteous, respectful, polite and professional.

Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons.

Ensure that the length of detention is no longer than necessary to take appropriate action for the known or suspected offense.

Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other city or county agencies when appropriate.

Provide name and badge number when requested, preferably in writing or on a business card.

Explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop).

If asked, provide the procedures for filing a complaint about police services or conduct.

5-108 PROFESSIONAL CODE OF CONDUCT (Reference is made to the STC Police requirement for Professional Conduct)

All officers are required to take appropriate police action toward aiding a fellow officer exposed to danger or in a situation where danger may be impending.

On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.

Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

Employees shall not interfere with any criminal investigation being conducted by this department or any other law enforcement agency. Employees shall not knowingly communicate in any manner, either directly or indirectly, any information that may assist

persons suspected or accused of criminal acts to escape arrest or punishment or which may enable them to dispose of evidence.

Employees shall not recommend a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before a grand jury except by written approval of the Chief. A copy of the approval will be kept in the case file. Employees shall not interfere with the attendance of witnesses or their testimony through coercion, bribery or other means.

Employees shall not attempt to have any traffic citation reduced, voided, or stricken from the calendar for personal or monetary consideration.

Employees shall immediately report any violation of rules, regulations, or laws that come to their attention to the Chief, regardless of the violator's assignment or rank within the Department.

Any employee charged, arrested, or cited for Driving Under the Influence (DUI) or a non-traffic violation, or notified they are being investigated for a criminal offense, shall immediately notify Sergeant who will notify the Chief. Notification shall consist of personal telephone communication (no voicemail messages) or written contact. Required information is the formal charge or allegation, date, time, and jurisdiction of alleged occurrence, and any special or relevant factors.

When an employee is notified that an Order for Protection (OFP), Restraining Order (RA), or a Harassment Order (HA) has been filed against him or her, the employee shall immediately notify the Chief and provide a copy of the OFP, RA, or HA, and the date scheduled for hearing the allegations made in support of the request for the order. The information is required for department compliance with Federal Law 18 U.S.C. Sec. 922.

Sworn employees shall maintain a valid Texas driver's license at all times as a condition of employment and will immediately report loss or limitation of driving privileges to their supervisor.

Employees shall give their name and/or badge number to any person upon request.

Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public.

Soliciting or accepting personal gifts:

Employees shall not solicit or accept any gift from an interested person, lobbyist or principal who has a direct financial interest in a decision that that the employee is authorized to make.

Exceptions. The prohibitions in this section do not apply if the gift is:

A service to assist an official in the performance of official duties, including, but not limited to providing advice, consultation, information and communication in connection with legislation, or services to constituents;

A service of insignificant monetary value;

A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

A trinket or memento of insignificant value;

Informational material of unexceptional value;

Food or a beverage given at a reception, meal or meeting away from the recipient's place of work by an organization before who the recipient appears to make a speech or answer questions as part of the program;

Given because of the recipient's membership in a group, and an equivalent gift is given to the other members of the group; or

Given by an interested person, lobbyist, or principal who is a related person to the recipient, unless the gift is given on behalf of someone who is not a related person.

An employee who receives any gift prohibited by this section shall return, dispose of, or request that the college accept the gift.

Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.

Employees shall not publicly criticize or ridicule the Department, its policies or other employees as to the performance of their duties in a manner which is defamatory, obscene, unlawful, or in any other manner which impairs the effective operation of the Department or in a manner which displays a reckless or knowing disregard for the truth. This regulation shall not be construed so as to impair the exercise of free speech by employees on matters of public concern.

Employees shall not use any derogatory language or actions which are intended to embarrass, humiliate, or shame a person, or do anything intended to incite another to violence.

Employees shall refrain from actions or words that bring discredit to the Department. They shall also not use words or terms which hold any person, group or organization up to contempt. The use of such unacceptable terms is strictly forbidden.

Employees shall not display material that may be considered discriminatory, derogatory, or biased. Specifically, discriminatory, derogatory or biased materials regarding race, color, creed, religion, ancestry, national origin, sex, affection preference, disability, age, marital status, public assistance, or familial housing are prohibited. Such materials include, but are not limited to, calendars, cartoons, and posters.

Employees shall conduct themselves in the buildings and offices of the Department in a manner which would not discredit the Department.

Employees shall not bring to or keep any dangerous drug, narcotic, or alcohol beverage on departmental premises except for evidentiary purposes.

Any money other than that received from unclaimed properties paid or sent to any employee as a result of on-duty police action shall be promptly forwarded to the College Business Office.

Employees shall not act as an intermediary in the payment of a reward for the return of stolen property without written authorization by the Chief.

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are under criminal investigation or indictment or who have a reputation in the community or Department for present involvement in criminal behavior, except as necessary in the performance of official duties, or when unavoidable because of family ties to the employee.

Employees shall not engage or participate in any form of illegal gambling at any time except in the performance of duty under specific orders of the Sergeant.

Off-duty employees shall not carry any firearm or ammunition while using drugs or controlled substances, or while using or under the influence of alcohol.

Employees shall never be under the influence of alcohol while on duty. A reading of .02 blood/alcohol concentration is considered under the influence of alcohol. Employees shall not consume alcoholic beverages while on duty or in uniform.

Employees shall not consume alcoholic beverages while off-duty to the extent that they are considered under the influence of alcohol when reporting for duty.

No employee shall be under the influence of any drug while on duty. When an employee is prescribed medication that may affect an employee mentally or physically, that employee will notify the Sergeant and the Human Resources Department.

Employees shall pay all debts when due and shall not undertake any financial obligations which they know or should know they will be unable to meet. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline provided that a good faith effort to settle all accounts is being undertaken.

Employees shall not purchase, or have purchased for them, any auto/property sold at a college auction. Employees are also prohibited from owning any such auto/property purchased at a city auction for one year after the date that the auto/property is sold at the college auction.

5-200 Responsibility of Police Officers

5-201 RESPONSIBILITY OF ON-DUTY OFFICERS

South Texas College on-duty Police Officers shall take all steps reasonably necessary to enforce the law after considering the tactical situation.

Texas statutes provide that when an on-duty licensed peace officer acting in obedience of an order of the court, or in the course and scope of their employment, or in fresh pursuit outside of the officer's jurisdiction, that officer is serving in the regular line of duty as fully as though the service was within their jurisdiction.

5-204 REFUSAL TO WORK

Police officers do not have the right to strike or to engage in any work stoppage or slow-down.

5-300 Use of Force **(Reference is made to the STC Police Procedure for Use of Force)**

The South Texas College Police Department strives to provide the upmost in safety for students, faculty, staff, and employees. The department's procedures are designed to ensure a safe and secure educational environment.

When college police officers are confronted with situations requiring the use of force to affect an arrest or ensure public safety, the amount of force used is dependent upon the facts and circumstances surrounding the situation the officer faces.

All Officers of the South Texas College Police Department shall use only force that is proper, reasonable, and necessary for the incident they are faced with. Members of the Department may carry only those weapons authorized by the chief.

No procedure for deadly or less-than-deadly force can possibly cover every situation. Officers of the South Texas College Police Department are expected to respond to all emergencies decisively, using the highest level of good judgment, restraint, and professional competence, whatever the level of necessary force.

Before an officer is authorized to carry department weapons, he/she will receive instructions in the department procedures concerning the use of force. Officers receiving this instruction must satisfactorily show a working knowledge of the subject matter through practical and written testing. They shall use only those techniques and skills approved by the chief.

5-400 Firearms Requirements and Procedures

5-401 RANGE MASTER

Department-owned armament shall be transferred only through the designated South Texas College Police Department Range Master. The Sergeant may make temporary loans within the department to meet emergency needs, but the Range Master must be notified as soon as practical.

5-402 CRITICAL INCIDENTS – LOANER HANDGUN

Following a Critical Incident, if an involved South Texas College Police Officer is required to surrender his/her duty handgun, the Sergeant will provide a loaner handgun to the involved officer if it is appropriate to do so. The involved officer will be allowed to carry the issued loaner handgun as a duty handgun until the investigating agency returns the officer's duty handgun.

5-403 FIREARMS - CIVILIAN PERSONNEL

Civilian personnel are prohibited from handling loaded firearms while at work.

5-404 FIREARMS AUTHORIZED FOR OFF DUTY USE

Carrying of a handgun and ammunition off duty by a commissioned police officer is authorized by the Federal Law Enforcement Officer Safety Act (Public Law 108-277). The Act prohibits police officers from carrying a firearm or ammunition off duty while under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

Officers are permitted to carry their assigned South Texas College handgun while off duty if they

have attained the qualification score required by the State of Texas as documented by the range officer. The South Texas College Police Department assumes no liability for any officer using a handgun off duty.

5-405 SECURING FIREARMS OFF-DUTY

Officers, when off-duty, are responsible for the safe storage of their firearms, whether they are in a motor vehicle, in a residence, or other facility. Officers assume the responsibility for taking reasonable precautions that their firearms do not fall into the hands of minors and/or unauthorized persons.

5-406 APPROVAL OF FIREARMS

The Range Master must inspect all firearms before an officer may attempt to qualify with the firearm and be authorized to carry the firearm on duty or off duty. The Range Master may require officers to take additional training in addition to shooting a qualification course before allowing an officer to carry a specific firearm.

5-407 MAINTENANCE OF FIREARMS

Officers shall maintain their firearm in a clean, serviceable condition.

5-408 AMMUNITION

Officers shall only carry South Texas College Police Department approved ammunition. Issued by the Range Master.

Ammunition issued for an officer's assigned handgun will be replaced annually by the Range Master.

5-409 RIFLES

The South Texas College Police Department assigns Colt M4 Law Enforcement rifles on a daily basis to police officers who will be using patrol vehicles. The police officers will sign out a rifle at the beginning of the shift and return it to the firearms room at the end of the shift. The rifles will be locked in a secure locked cabinet in the trunk of the police vehicle when on patrol.

Rifles may be deployed in the following situations pursuant to Use of Force procedures:

a. When a suspect is out of range of a handgun.
b. Suspects are reasonably believed to be wearing protective body armor.
c. Situations that an officer reasonably believes to meet active shooter criteria.
d. When the unique features of the Colt M4 rifle provides a tactical advantage.

5-410 FIREARMS TRAINING REQUIREMENT

The Range Master is responsible for planning, implementing and conducting firearms training for all South Texas College sworn personnel and will instruct sworn personnel in the proper use of assigned firearms. The Range Master is also responsible for inspecting and determining the functional operation of firearms.

All South Texas College sworn personnel are required, as a term and condition of employment, to obtain a "passing" score on the approved course of fire for each of the range training sessions. Officers may be required to participate in additional firearms training at the discretion of the Range Master.

Any officer who fails to attend the approved course of fire for any given range training period because of a medically documented illness, temporary injury, or non-medical excused absence from duty, will be required to do so upon their return to full duty. Officers returning to full duty shall be reassigned to a non-enforcement position and will not be authorized to carry a firearm, on or off duty, until successfully completing the required course of fire.

5-411 FAILURE TO QUALIFY

"To Qualify" means obtaining the minimum passing score on any given approved course of fire. Officers who do not obtain a "passing" score on a required course of fire shall be given a "Notice of Failure to Qualify." The officer will be directed to return on a given date and time for remedial training and qualification. The Sergeant will reassign the officer to a non-enforcement position until such time as he or she returns to the range and "passes" the course of fire. During this time the officer is prohibited from carrying firearms, until satisfactory completion of the course. Failure to qualify after remedial training may be cause for disciplinary action up to and including termination of employment.

5-412 SAFETY AT THE FIRING RANGE

All weapons at the range should be treated as if they are loaded.

Weapons shall be cased or holstered unless directed to do otherwise by the Range Master.

Trigger fingers will remain off the trigger until the Range Master gives the command to shoot.

Handling of weapons will be on command or by permission of range personnel only.

No handling of weapons will be permitted while persons are down range.

Possession and/or consumption of liquor or drugs is forbidden either immediately prior to or while at the range.

The Range Master may order anyone using the firing range to leave the facility for the violation of any commands or rules.

The Range Master may temporarily confiscate the weapon of any employee pending a decision on the issue by the Chief.

5-413 DEPOSITING WEAPONS AT JAIL OR PROCESSING FACILITY

Officers entering any area of a jail or processing facility shall follow all rules of the controlling agency concerning the securing of weapons immediately upon entering the facility.

5-414 REPORTING FIREARMS DISCHARGES

Whenever a South Texas College Police Officer discharges a firearm in the on duty, other than for training purposes, the Chief will be notified immediately. The notification shall include information concerning the reason for and circumstances surrounding discharge of the firearm.

5-415 DIVERSIONARY/DISTRACTION DEVICES

Diversionary/Distraction devices will only be distributed by and used under the authority of the sergeant who will make a decision about the use of such a device on a case by case basis.
Only personnel trained in the use of these devices shall deploy them. Department approved training shall include the nomenclature, mechanical operation, and tactical deployment.

6-100 Mutual Aid and Other Agency Relationships

6-101 RELATIONSHIPS WITH OTHER AGENCIES

Establishing and maintaining channels of communication between law enforcement agencies and other criminal justice agencies is essential to the operation of the South Texas College Police Department.

6-102 REQUESTS FROM OTHER AGENCIES

Requests for non-emergency assistance within the city limits shall be referred to the Sergeant. The Sergeant shall cooperate with other agencies and encourage good relations.

6-103 MEMORANDUMS OF UNDERSTANDING

The South Texas College Police Department establishes Memorandums of Understanding with other police departments in which college property is located. These Memorandums of Understanding identify jurisdictional issues and cooperative approaches to maintaining security at the college.

6-104 PROCEDURES FOR REQUESTING OR PROVIDING ASSISTANCE

Assistance from other law enforcement agencies can be requested for an emergency incident or event that is beyond the capabilities of the South Texas College Police Department. The following personnel are authorized to request assistance from other law enforcement agencies:

Lieutenant

Chief

These same personnel are authorized to respond to a request for assistance from other agencies.

The authorized official requesting assistance shall contact the appropriate responding official and include the following information in the request:

The amount and type of assistance needed;

The nature of the event or incident;

When and where assistance is needed

The decision to provide assistance and how much assistance to provide rests solely with the responding agency.

When an agency responds to a request for assistance, the responding official may recall all or part of the resources provided at any time, if needed by the responding agency.

6-105 COSTS AND LIABILITY OF PROVIDING ASSISTANCE

South Texas College Police Officers directed to provide assistance to another agency shall be deemed to be performing in their regular line of duty as fully as if they were working at the college. South Texas College assumes responsibility for the officer's wages, worker's compensation protection, and any other liability to the same extent as when the officer is serving at the college. The authorization to respond to calls for emergency assistance outside of the college does not extend to officers who are off duty or who are not serving in their regular line of duty.

The South Texas College Police Department shall be responsible for its own personnel, including any injuries or death, and its equipment and supplies, including any damage or loss when responding to another agency's request for assistance. Agencies responding to a request for assistance from the South Texas College Police Department shall assume all responsibility for their personnel, including injuries or death, and equipment and supplies, including damage or loss.

6-106 REQUESTING FEDERAL LAW ENFORCEMENT ASSISTANCE

Federal law enforcement agencies may be contacted for assistance in emergency situations through the Chief. The following Federal agencies may be called; the phone numbers are on file with Dispatch:

Drug Enforcement Administration

Federal Bureau of Investigation

Immigration and Naturalization

Department of Treasury

U.S. Marshall

ATF- Alcohol Tobacco and Firearms

U.S. Postal Inspector

U.S. Secret Service

6-200 RELATIONS WITH THE MEDIA

The South Texas College Public Relations Department has established a cooperative relationship with the news media in supplying information on matters of public interest. Only Information that violates the constitutional rights of the victim or the accused, interferes with an on-going investigation, or is legally privileged may be withheld from the public.

All inquiries, including requests for interviews, will be directed to the Public Information Officer (PIO).

• No South Texas College Police Department employees should initiate a media contact without going through the PIO.

• Inquiries regarding current investigations shall be referred to the PIO.

• South Texas College Police Department employees shall not release information on any case where the progress of an investigation may be jeopardized by premature media coverage.

• South Texas College Police Department employees shall not represent opinion as fact.

7-100 MAJOR INCIDENTS

Whenever a significant event happens, the initial police officer responding shall make notifications to Dispatch as quickly as possible, identifying threats to the college community so that a Mass Notification to students, faculty, and staff can be made. Significant events/incidents include, but are not limited to, active shooter, homicides, officer-involved shootings, natural or manmade disasters, acts of terrorism, or any other event that requires a warning to others.

The notification shall include the following information:

Date, time and location of the incident

A brief assessment of the event

A listing of other units contacted for assistance

Requests for other resources as deemed necessary

Name of contact person and his/her phone number

7-200 MISSING PERSONS

Adult missing person reports may be made at the South Texas College Police Department office or a reporting party may call 911.

The information to be requested concerning the event will include the following:

complete name (including any aliases or nicknames)

date of birth

full physical description (including height, weight, hair/eye color, scars, marks or tattoos)

clothing description (if available)

driver license and Social Security numbers (if available)

7-300 Vehicle Operation (Reference is made to the STC Procedure for Vehicle Pursuits)

7-301 NORMAL VEHICLE OPERATION

Under normal conditions, personnel will operate police vehicles in the same manner as required for the public. Violations of motor vehicle laws when not authorized, or careless and abusive use of police vehicular equipment may result in disciplinary action.

Vehicles shall not be driven when they are in unsafe mechanical condition. Officers shall inspect their assigned vehicle before each tour of duty and immediately report any damage or mechanical failure to the sergeant.

A peace officer may not operate without lights:

On interstate highways;

At speeds greater than what is reasonable and prudent under existing weather, road, and traffic conditions;

Contrary to any written procedures established by the Chief.

7-302 EMERGENCY DRIVING AND VEHICULAR PURSUIT DEFINITIONS

EMERGENCY DRIVING - Emergency driving occurs whenever an officer intentionally drives in excess of the speed limit or in violation of any traffic control device. Emergency driving is authorized only when necessary in the performance of official duties.

GREAT BODILY HARM - Bodily injury, which creates a high probability of death, or which causes serious permanent disfiguration, or which causes a permanent or protracted loss or impairment of any bodily member or organ or other serious bodily harm.

IDENTIFICATION - The officer can establish the identification of the offender so that an apprehension can be made at another time.

OFFENDER - The operator of a vehicle being pursued who has been signaled to stop.

PARALLEL THE PURSUIT ROUTE - To operate a police vehicle in a manner that indicates pursuit participation by traveling in the same direction as the pursuit route on an adjacent or parallel roadway.

FULLY-MARKED POLICE VEHICLE - Any vehicle used by the South Texas College Police Department that has clearly identifying police markings, emergency lights visible from front, sides and rear, and a siren.

PURSUIT SERGEANT - The Sergeant overseeing the pursuit.

ROADBLOCK - Placing a marked squad, either moving or stationary, in the roadway to narrow or block the escape route of the vehicle being pursued.

SECONDARY SQUADS - Police vehicles that provide direct support to the primary squad and follow the police vehicle at a safe distance.

TERMINATE - A pursuit is considered to be terminated when the officer discontinues the use of all emergency equipment and slows the marked police vehicle to the posted speed limit and turns off the pursuit route at the next available intersection.

VEHICLE CONTACT - The intentional striking by a police vehicle of a vehicle being pursued.

VEHICULAR PURSUIT - A vehicular pursuit occurs whenever an officer pursues a driver of a vehicle who has been given a signal to stop by the activation of red lights and siren, and the suspect or violator fails to comply and attempts to elude the officer by taking evasive actions.

7-303 VEHICLES - EMERGENCY RESPONSE

All South Texas College Police Officers shall use emergency lights and sirens in a continuous manner for any emergency driving. Officers responding to an emergency shall exercise caution and due consideration for the safety of the public. The use of the red lights and siren does not exempt officers from the need for caution nor does it exempt them from criminal or civil proceedings.

7-304 PURSUIT PROCEDURE

The South Texas College Police Department is committed to prevent crime, maintain order and protect the college community from unreasonable danger wherever possible. Intrinsic to the nature of policing is the apprehension of criminals and the enforcement of law at every level. In order to enforce the law, officers may be called upon to pursue suspects who choose not to obey an officer's lawful command to submit to arrest.

Motor vehicles are the primary conveyance with which offenders attempt to elude the police. Recognizing that every vehicle has the potential to cause serious bodily injury to innocent third parties, officers shall use reasonable professional judgment in deciding when, where, and to what extent they will initiate pursuit of suspects in motor vehicles. The initiation and continuation of any pursuit are predicated on factors known to the officer such as the seriousness of the violation, the consequences of not apprehending the suspect, the probability of apprehending the suspect without undue risk to the public at large, and the potential for continued criminal activity, if not apprehended.

Officers shall always be aware of the inherent danger to the public and to themselves in vehicle pursuits or emergency responses. They shall continuously weigh the need and desirability for apprehension against the risk created for the officers and the general public. The officers must also take into account factors such as traffic volume, time of day, weather, circumstances of the emergency and the type of violation when becoming involved in pursuits.

7-305 INITIATING OR CONTINUING A PURSUIT

Officers involved in a vehicular pursuit shall exercise caution and due consideration for the safety of the public. Police officers in marked police vehicles can conduct a pursuit. Officers shall use emergency lights and siren in a continuous manner for any emergency driving or vehicular pursuit. The use of emergency lights and siren does not exempt officers from the need for caution.

During a pursuit, officers shall not drive their vehicle the wrong way on freeways. They may, however, go down the wrong way of a freeway ramp to make a traffic stop on a vehicle going the wrong way to prevent it from entering the main portion of the freeway. Officers may not pursue the wrong direction on one-way streets without due consideration for existing conditions as listed below.

A pursuit is justified after an offender has engaged in evasive tactics only when an officer knows or has reasonable grounds to believe that the fleeing offender committed an offense and there is a reasonable expectation of a successful apprehension of the offender.

Officers shall not initiate a pursuit or shall discontinue a pursuit in progress whenever any of the following conditions exist:

> The vehicle was previously pursued by South Texas College Police Officers or other agencies and the pursuit was terminated. Officers will not reinitiate a pursuit within 20 minutes of the termination, unless there are exigent circumstances.

The pursuit poses an unreasonable risk to the officers, and/or the general public, or the seriousness of the offense(s) is such that continued pursuit creates an unreasonable risk to the officers and/or the public.

The officer can establish the identification of the offender so that an apprehension can be made at another time unless the crime is for:

-- Homicide
-- 1st and 2nd degree assault
-- Aggravated robbery
-- Sexual assault involving the use or threatened use of a dangerous weapon
-- Kidnapping

Risks due to weather, road conditions, vehicle and/or pedestrian traffic outweigh the necessity to immediately arrest the suspect.

Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary pursuit vehicle to provide assistance.

Whenever prisoners are in the police vehicle.

Whenever there is malfunction of police emergency equipment or radio communication.

Whenever the distance between the primary police vehicle and the offender is so great that further pursuit is futile.

Situations in which the primary police vehicle loses visual contact of the offender for a significant period of time (approximately 10-15 seconds).

Any officers involved in a pursuit have the right to decide whether or not to terminate their participation in a pursuit, or to transfer their responsibility to another officer. All police officers will immediately take and acknowledge direction from the pursuit Sergeant.

7-306 VEHICULAR PURSUIT PROCEDURES

All department employees involved in a vehicular pursuit shall follow the procedures listed in this section.

7-307 ROLE OF OFFICERS IN THE PRIMARY PURSUIT VEHICLE

Officers in the primary pursuit police vehicle shall:

Activate emergency lights and siren.

Turn up the radio and roll up the windows.

Notify Dispatch by radio of the location, speed, direction of travel, and reason for the pursuit.

Identify the vehicle and its occupants as completely as possible.

Call out the location and direction of the pursued vehicle as frequently as possible.

If an accident occurs with the possibility of injury the primary vehicle shall designate a secondary pursuit vehicle to stop and check for injuries and render medical assistance. Primary officers must receive acknowledgement from a secondary vehicle officer. If an acknowledgement is not received or there are no secondary vehicles assisting in the pursuit,

the primary vehicle must immediately terminate and check for injuries. All acknowledgements shall be made via radio.

Notify or acknowledge via radio whenever the pursuit has been terminated.

Whenever possible, officers in the primary pursuit vehicle will not physically remove the offender or passengers from the vehicle, but should wait for the officers in the secondary pursuit vehicle to arrive and remove the offender or passengers.

7-308 ROLE OF OFFICERS IN THE SECONDARY PURSUIT VEHICLES

Officers in the secondary pursuit vehicles shall:

Activate emergency lights and siren.

Turn up the radio and roll up the windows.

Notify Dispatch by radio of their involvement in the pursuit.

Maintain a safe distance from the initiating police vehicle, but remain close enough to provide back-up assistance when needed. At no time shall the secondary police vehicle pass the primary police vehicle unless requested by the officer in the primary police vehicle. Officers should be alert to the fact that citizens will see the primary police vehicle proceed and may assume that it is the only emergency vehicle in the area and may be unaware or inattentive to the second emergency vehicle, especially if it is far behind the pursuing vehicle.

Be prepared to take over as the primary vehicle if the existing primary vehicle becomes disabled or is unable to continue the pursuit.

Give the location and status of the pursuit when the pursued vehicle is stopped if the primary squad has not done so.

Immediately acknowledge directions, via radio, given by the primary vehicle regarding accidents.

Notify or acknowledge via radio whenever the pursuit has been terminated.

Remove offenders and passengers from vehicle when pursuit results in an apprehension, then transport.

7-309 ROLE OF THE PURSUIT SERGEANT

The pursuit Sergeant shall:

Acknowledge responsibility of the pursuit over the radio.

Monitor the pursuit.

Exercise authority and responsibility to decide whether to commit additional police vehicles or to terminate the pursuit if the risk to the general public and officers outweighs the necessity to immediately arrest the suspect.

Respond as soon as possible to the scene when the pursuit is terminated with the apprehension of a suspect or at the scene of a collision. If the pursuit is called off, the pursuit Sergeant does not have to respond to the scene.

Wherever practical, the Sergeant shall not allow the offender or passengers to be removed from the vehicle by the primary pursuit officers. The arrested suspect(s) shall not be

transported by the primary pursuit vehicle unless specifically authorized by the pursuit Sergeant.

Immediately review the pursuit for compliance with department procedures.

The Sergeant will prepare an ARMS Incident Report that includes the following information:

General route of the pursuit, approximate distance covered and approximate speeds attained;

Description of the weather and road conditions;

Outcome of the pursuit including a description of any damage or injuries sustained as a result of the pursuit;

Statement as to whether department procedure was followed during the pursuit;

Any other information deemed relevant.

7-400 Traffic Accident Investigation

7-401 TRAFFIC ACCIDENT INVESTIGATION PROCEDURES

Officers notified of a traffic accident will respond and handle that accident as described in this procedure. The officer is responsible for investigating and reporting all accidents, completely and accurately.

At any accident scene, officers shall check for evidence that the driver may be under the influence of alcohol or drugs. If such evidence is present, officers shall take steps to determine the level of impairment.

7-402 TRAFFIC ACCIDENT REPORTS

A Traffic Accident Report CR-3 shall be completed for motor vehicle accidents involving personal injury, a College vehicle, or combined property damage in excess of $1,000.

7-403 INSURANCE - NO PROOF OF INSURANCE

Police officers may issue a traffic citation for no proof of insurance to the driver/owner of a motor vehicle or a No Proof of Insurance not both, when the driver/owner states they do not have proof of insurance in their possession. It is a misdemeanor violation to not provide proof of insurance to a police officer upon demand.

No Proof of Insurance - Citation Issuance Procedures:

An officer may issue a traffic citation to the driver/owner of a motor vehicle when the driver/owner states they do not have proof of insurance. The officer should advise a driver/owner who is issued a traffic citation for no proof of insurance in their possession, that the driver/owner has ten days to deliver proof of insurance.

7-404 HIT AND RUN REPORTS - WHEN REQUIRED

Officers responding to a reported hit and run accident shall conduct a preliminary investigation and complete the required reports.

7-500 Traffic Law Enforcement

7-501 TRAFFIC STOPS

When making a traffic law enforcement (TLE) stop, the initiating officer shall notify the dispatcher of the following information:

1. Street Address or approximate location of the stop
2. Gender of driver
3. Race or ethnicity of the driver
4. If race or ethnicity was known prior to the traffic stop
5. Reason for the stop
6. If a search was conducted
7. Reason for the search if conducted
8. If contraband was discovered
9. Description of the contraband
10. If an arrest was made
11. Reason for the arrest if made
12. If a written warning or citation was issued as a result of the stop

7-600 Active Shooters

The primary responsibility of police officers in Active Shooter situations is to prevent the loss of human life. The first officers on the scene will take immediate action to neutralize the threat. South Texas College Police officers have been provided Active Shooter Response Training and will follow the process used in that training. At the beginning of every shift, M4 rifles and shotguns will be placed in the secure safe of each patrol vehicle to be available, along with ballistic shields, helmets, and level III ballistic vests, to confront Active Shooters on college property.

7-700 Bomb Threats

Officers responding to a bomb threat on campus or other college property shall ensure that the building or other area that the threat pertains to is evacuated. Information will be provided by

Dispatch concerning the threat that was made and the decision by the Sergeant, Lieutenant, or Chief to address that threat.

Prior to any search being conducted officers shall:

- Not to use portable radios or cell phones while conducting the search
- Not to handle any suspicious item(s)
- If a suspicious item is discovered, immediately evacuate the area and call the McAllen Police Department Bomb Squad

7-800 Emergency Response Procedures

Although emergency situations vary in nature and scope, they have common police objectives:

- Life safety - protection of life and injury reduction
- Preservation of property and the environment
- Incident stabilization - restoration of order
- Proper notification of appropriate authorities
- Incident command responsibility
- Collection and preservation of evidence
- Proper recording of all actions and reporting

7-801 INCIDENT COMMAND SYSTEM

The Incident Command System is a model for the management of critical incidents and other emergencies that provides a common, uniform approach to the command and management of emergencies at the local, county and state levels. The incident command system will be used for single-agency responses, single-jurisdiction/multi-agency responses, and multi-jurisdiction/multi-agency emergency and disaster responses.

Some critical incidents involve only a police tactical response (SINGLE COMMAND) while other emergencies or disasters will require a planned, coordinated response from several departments, agencies or jurisdictions (UNIFIED COMMAND). A small-scale police incident may also escalate into an emergency requiring county, state and federal assistance.

Examples of critical incidents and emergencies are described as, but not limited to, public safety incidents that escalate beyond existing resources including large shooting scenes, multiple shooting scenes, multiple emergency events, civil disturbances, riots, barricaded suspects, snipers, terrorist activities, hostage situations, hazardous materials accidents, major fires and explosions, aircraft crashes, weather disasters and nuclear, chemical and biological emergencies. The incident command system is designed to be used in any such situation.

All emergencies or critical incident management plans must have the same incident priorities:

- Life safety;
- Incident stabilization;
- Property conservation.

When arriving at the scene of an emergency event, the on-scene Incident Commander will:

1) On the radio, identify themselves as the Incident Commander

2) Rapidly assess:

What is the problem?

What are the objectives needed to bring this to a positive resolution?

What resources will be needed?

Will responding personnel need Personal Protective Equipment (PPE)?

3) Quickly determine or identify:

Perimeter locations….cold zone, warm zone, hot zone

Do people need to be evacuated or sheltered-in-place?

Is there a need for a separate radio frequency for the event?

Will weather conditions affect response plans? What is the wind direction?

4) Systematically:

Identify a Command Post location.

Identify Staging Area and Evacuation Area.

Request necessary personnel and resources to handle the event.

Insure that perimeters are adequate and held to prevent escalating the event.

5) DELEGATE:

Perimeter Control Officer

Staging Officer

Safety Officer

Any other functions necessary for incident command or unified command operations.

As a major emergency is reported, or a small incident escalates beyond existing resources, the following incident command responses will be observed:

7-802 POLICE SUPERVISOR RESPONSE

The Sergeant, Lieutenant, or Chief will announce on the radio their arrival at the scene and if they will be taking over as Incident Commander.

The situation and any potential for escalation of the incident will be assessed.

Dispatch will be informed of the assessment of the situation and requested to call for additional resources as needed.

A decision will be made by the Incident Commander concerning the need for a designated radio channel for incident management.

7-900 Exposure to Blood Borne and Airborne Pathogens

7-901 EXPOSURE TO BLOOD BORNE AND AIR BORNE PATHOGENS

Officers may be called upon to directly interact with persons who are known or suspected of having communicable infectious diseases. Such interactions may occur when officers are acting as first responders, when they are called upon to transport possibly infectious persons, or to enforce isolation or quarantine orders.

The procedure of the South Texas College Police Department regarding exposure to blood borne and air borne pathogens in the occupational setting is to contact the County Health Department to report the incident and seek guidance in the steps needed to protect college students and employees.

7-902 EXPOSURE TERMS AND DEFINITIONS

AIDS: Acquired Immune Deficiency Syndrome – This virus attacks a person's immune system and reduces the ability to fight other diseases. AIDS is the final stage of HIV (Human Immunodeficiency Virus) infection.

Blood Borne Pathogen: Pathogenic microorganisms present in human blood that cause disease. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HBC), and human immunodeficiency virus (HIV).

Body Fluids: Body fluids include but are not limited to blood, semen, vaginal secretions, breast milk, amniotic fluid, urine, saliva, vomit and stool.

HBV: Hepatitis B Virus – A viral infection that can result in jaundice, cirrhosis, and cancer of the liver. The virus causes HBV and may be found in blood, urine, semen, vaginal secretions and saliva. It may be transmitted by direct contact with infected persons and through needle sticks or sharps exposures.

HCV: Hepatitis C Virus – A viral infection that can result in chronic infection, cirrhosis and liver disease. Infection occurs when blood from an infected person enters the body of a person who is not infected. HCV is spread though sharing needles and through needle sticks or sharps exposures.

HIV: Human Immunodeficiency Virus – HIV is the virus that causes AIDS (Acquired Immune Deficiency Syndrome). HIV may be transmitted from one person to another primarily through sexual contact or through the sharing of intravenous drug needles. It may also be transmitted by coming into direct contact with an infected person; i.e. an officer with a cut or sore on their hand gets blood on that hand while rendering first aid.

Influenza: Influenza (the flu) is a contagious respiratory illness caused by influenza viruses. It can cause mild to severe illness and can lead to death. Influenza is transmitted from person to person in respiratory droplets of coughs and sneezes. It may also be spread when a person touches

respiratory droplets on another person or an object and then touches their own mouth or nose (or someone else's mouth or nose) before washing their hands.

Infected adults infect others a day before symptoms develop and up to five days after becoming sick. Children may pass the virus for longer than seven days. Symptoms start one to four days after the virus enters the body.

Meningitis: An inflammation of the membranes that envelop the brain and spinal cord. Meningitis may be contracted through direct contact with an infected person's respiratory secretion.

Personal Protective Equipment (PPE): Personal protective equipment is specialized clothing or equipment used by workers to protect themselves from direct exposure to blood or other potentially infectious materials. It includes, but is not limited to, protective disposable gloves and masks.

Significant Exposure: Having sustained a contact which carries a potential for a transmission of blood borne pathogens by one or more of the following means:

- A skin puncture by a needle or sharp object that has had contact with blood or body fluid from another person;
- Blood or bodily fluids of another person in contact with the mucus membranes or eyes;
- Any contamination of open skin (cuts, abrasions, blisters, open dermatitis) by blood or body fluids, or bites that break the skin;
- Blood or blood containing fluids in contact with skin longer than 5 minutes;

***Note*:** Fluids such as urine, saliva, vomit and stool are considered significant only when they contain visible blood.

Significant exposure to diseases communicable by airborne transmission (including tuberculosis, chicken pox, measles, and pertussis) will be confirmed and follow-up will be determined with the help of Public Health.

Source Individual (SI): An individual, living or dead, whose blood, tissue, or potentially infectious body fluids may be a source of blood borne pathogen exposure to another person. Examples include, but are not limited to, a victim of an accident, injury or illness, or a deceased person.

Tuberculosis: Bacterial disease causing swelling and lesions in the tissue of the lung. The most common means of exposure is by inhaling airborne particles from the cough of an infected person. Transmission may occur after being in a non-ventilated area for an extended period of time with an infected person. In rare cases, this bacterial disease can be transmitted through the saliva, urine, blood and in some cases, other body fluids of infected persons.

Universal Precautions: Precautions designed for infection control. Under Universal Precautions, blood and certain body fluids of all individuals are considered potentially infectious for HIV, HBV and other blood borne pathogens. Universal Precautions must be posted in a central area at all precincts and division locations.

7-903 DECONTAMINATION OF EMPLOYEE AND EQUIPMENT

South Texas College employees shall use the following OSHA approved cleaning procedures when disinfecting or decontaminating themselves or equipment while on-duty.

Hand Decontamination

Wash hands completely with soap and water.

Rinse completely; dry with a clean towel or air dry.

Clothing, Tool/Equipment Decontamination

Mix 1/4 cup bleach per gallon of water. (**Note**: More bleach is not better.)

Immerse objects in solution for 10 minutes; if clothing, gently agitate periodically. (**Note**: Dark clothing/fabric may produce bleach spots.)

Transfer objects to a soap and water solution for 10 minutes; if clothing, gently agitate periodically.

Allow clothes and tools/equipment to thoroughly air dry before re-use.

Severe Surface Decontamination

Use for decontaminating only the most seriously affected surfaces.

Mix 1 ½ cups bleach per gallon of water.

Douse surfaces with heavy contamination and allow sitting for 3 minutes.

Wipe the contamination from the surface with a paper towel and douse the surface again but use the hand wash solution.

Wipe off residual contamination with a paper towel.

Important Considerations

Use gloves and eye protection.

Prepare bleach solutions daily and allow standing for at least 30 minutes before use.

All containers should be labeled "Bleach-disinfected water, DO NOT DRINK"

Do not mix bleach with products containing ammonia.

DO NOT IMMERSE ELECTRICAL OR BATTERY OPERATED TOOLS/EQUIPMENT IN SOLUTIONS; clean exterior with a rag soaked with soap and water or disinfectant solution.

7-904 DECONTAMINATION OF POLICE VEHICLES

Any police vehicle which has been contaminated by bodily fluids shall be taken to a proper decontamination facility. South Texas College Police Department employees shall not attempt to clean vehicles themselves.

7-1000 ACTIVATING AN AMBER ALERT BROADCAST

To activate an Amber Alert Broadcast the following criteria must be met:

The victim of an abduction or a runaway is 17 years of age or younger.

The child is believed to be in imminent danger of serious bodily harm or death.

There is information available to disseminate to the general public, which could assist with the safe recovery of the victim and/or the apprehension of the suspect.

To activate the Amber Alert, the Sergeant shall contact the Amber Alert Communications Center and request an Amber Alert Broadcast.

Provide the following information:

When/where the child was abducted

Description of child

Description of abductor

Description of vehicle, if involved

Last known direction of travel

If there is reason to believe the suspect has a relationship to the victim

Number to contact for general information/questions

8-100 PRISONER CONTROL AND TRANSPORTATION

When feasible, two officers shall be used to transport a felony prisoner.

One officer may transport misdemeanor prisoners.

All prisoners shall remain within sight of the transporting officers at all times until the custody of the prisoner is transferred to a responsible authority except in emergency situations. Transporting officers shall not stop or interrupt prisoner transport responsibilities unless exigent circumstances exist and the risk to the prisoner is minimal.

Transporting officers are responsible for ensuring the safety of their prisoners.

In the event of a prisoner escape during transport, the transporting officers shall immediately do the following:

Notify the dispatcher of the event and location.

Attempt pursuit if possible.

Notify a supervisor or proper jurisdictional authority of the escape.

Complete the original arrest report, noting the escape from custody

8-200 TRANSPORTATION OF PRISONERS OF THE OPPOSITE SEX

Two officers shall transport an arrestee of the opposite sex.

Officers transporting an arrestee of the opposite sex shall provide Dispatch their destination and odometer reading as well as the arrival time and any delay.

8-300 MAXIMAL RESTRAINT OF PRISONERS

To secure subjects who are not adequately controlled by handcuffing, officers may use techniques that restrain the legs/feet as well as hands. These techniques shall only be used in situations where handcuffed subjects are combative and still pose a threat to themselves, officers, or could cause significant damage to property if not properly restrained.

Techniques that secure the subjects feet to their handcuffed hands behind the back shall be a last resort technique. The Sergeant shall be called to the scene where a subject has been restrained in this manner to evaluate the method of transportation. When any restraint technique is used on a subject, the subject shall not be left in a prone position and shall be placed on their side as soon as they are secured. Once the subject is secured, an officer shall watch for any of the following signs:

Significant change in behavior or level consciousness;

Shortness of breath or irregular breathing;

Seizures or convulsions;

Complaints of serious pain or injury; and/or

Any other serious medical problem.

In the event any of the above conditions arise prior to transport, officers will notify paramedics and request a medical evaluation of the subject. If any of these conditions arise while transporting, officers shall either call paramedics or transport the subject to the hospital immediately. If paramedics transport the subject, and the subject is the officer's prisoner, an officer shall ride with the paramedics to the hospital. If paramedics are not available, two officers shall transport the restrained subject seated upright, unless it is necessary to transport them on their side. Under no circumstances, shall a restrained subject be transported in the prone position. An officer shall monitor the medical condition of the subject from the time the restraint is applied; through the time the officer is relieved of custody. Officers shall also inform the person who takes custody of the subject that a restraint was used and how it was applied.

9-100 Search and Seizure

I. PURPOSE

To provide employees with legal guidance in order to conduct lawful searches and seizures.

The term "officer" is used generically in this document and does not assume a level of rank, such as Patrol Officer. It includes all applicable sworn and non-sworn personnel.

II. PROCEDURE

South Texas College Police Department employees shall conduct searches in as minimally intrusive a manner as possible and adhere to the rights given to persons under the United States Constitution and the Texas State Constitution.

A. Searching People

A full search of a person is not justified with reasonable suspicion; it requires probable cause or other condition outlined below. Officers can legally search people without a warrant in the following circumstances:

Probable Cause;

Search Incident to Arrest;

Medical Emergency/Life-Saving;

Plain View;

Consent Search.

Searching an Arrestee's Property:

A custodial arrestee's property (purse, backpack, etc.) shall be searched prior to arrival at any jail, detention center, chemical testing unit, or investigative unit.

A non-custodial arrestee's property is not subject to search without consent unless reasonable articulable suspicion exists to believe that the individual is engaged in other criminal activity and the personal property may contain a weapon.

Items property inventoried will be searched according to protocol set forth by the Property and Evidence Unit.

Searching Persons of the Opposite Sex

Persons should be searched by an officer of the same gender if such an officer is on the scene or can arrive within a reasonable period of time. If the gender of the person to be searched is in question, officers shall ask the person to identify their gender before proceeding with the search.

Prior to the execution of an arrest or search warrant, where a female officer is likely to be needed, a female shall be included in the operation if possible.

A strip search shall be conducted and witnessed by at least two college employees of the same gender as the person being searched.

Strip Searches

A strip search includes the removal or rearrangement of clothing to permit the visual or manual inspection of any skin surfaces of a person's genitals, buttocks, anus or female breasts.

Strip Searches may be conducted only in the following circumstances:

Officers have probable cause to believe that evidence, or contraband exists and will be destroyed or lost in the absence of an immediate strip search; or

Officers have probable cause to believe that an immediate search is necessary to prevent imminent danger to the suspect, officer or others.

The following procedure shall be followed when conducting a strip search, whether the person has been arrested or not:

Sergeant approval shall be obtained before conducting a strip search. Such approval shall only be given after an on-scene assessment by the Sergeant.

The Sergeant shall be present when the search is conducted unless precluded from doing so by the issue of gender.

The search shall be performed in a location that affords the suspect privacy from persons not involved in the search. Officers shall be aware that strip searches conducted in the field could require extraordinary measures to ensure the suspect's privacy.

The Sergeant authorizing the strip search shall complete an ARMS Incident Report articulating why the search was justified and necessary. The supplement will also explain:

Which officers conducted the search;

Which officers were present for the search;

Where the search was conducted; and

How the search was conducted.

Nothing stated in this procedure shall preclude an officer from immediately recovering a weapon if the officer can articulate that any delay would cause imminent danger to the safety of the officer or others.

Nothing stated in this policy shall preclude an officer from collecting a urine sample for evidentiary purposes (e.g. DWI).

Body Cavity Searches

A body cavity search is a search that goes beyond visual or manual inspection of skin surfaces, so that it involves internal physical examination of body cavities, and in some instances, organs such as the stomach.

With the exception of the mouth, body cavity searches shall only be performed by medical personnel, in a medical facility, pursuant to a search warrant or court order.

Exigent circumstances such as the suspect placing illegal narcotics or contraband into their mouth does not require obtaining a search warrant or court order.

Minimal physical force (which includes low control options such as joint manipulation, pressure points and verbal directions) may be used to recover suspected narcotics from a suspect's mouth. Force used shall not include any strikes or any type of force which restricts breathing or blood flow in the neck.

Searching People – Documentation

Terry Stops (Investigative Detentions), Terry Frisks, and searches (to include consent searches) must be justified under the law. Officers must be able to provide the justification for any frisk(s) and/or search(s) conducted.

Absent exigent circumstances, officers are responsible for knowing certain facts, to include: the name of the person encountered, as well as the probable cause which served as the basis for the officer's actions.

B. Searching Vehicles

Officers can legally search a vehicle in the following circumstances:

Plain View;

Medical Emergency/Life-Saving;

Probable Cause;

Protective Weapons Sweep;

Search Incident to Custodial Arrest;

Inventory Search;

Consent Search;

Searching Vehicles – Documentation

If the search of a vehicle results in an arrest or seizure of evidence or contraband, an ARMS Incident Report shall be completed and the officer must articulate the legal justification for the search. The Incident Report shall contain all pertinent information concerning the search including:

Legal justification for the search;

Results of the search;

Any damages that occurred;

Officers who conducted the search; and

The name and date of birth of the consenting person (if applicable).

If damage to property was caused during the course of a search and/or resulting seizure:

The Sergeant shall be notified;

Photographs shall be taken and property inventoried to document any known damages.

If the search of a vehicle does not result in an arrest, property damage or seizure of evidence or contraband, the fact that a search occurred and the legal justification for it should be documented via added remarks in the ARMS Incident Report.

C. Searching Dwellings and Buildings

A search warrant is always required to search dwellings and non-public areas of buildings, absent consent or exigent circumstances. Without a search warrant, officers may legally search a dwelling or building in the following circumstances:

Hot Pursuit;

Protect and Preserve Life;

To Prevent the Destruction of Evidence;

Serving an Arrest Warrant;

Consent Search;

Searching Dwellings and Buildings – Documentation

If the search of a building/dwelling results in an arrest or seizure of evidence or contraband, an ARMS Incident Report shall be completed and the officer must articulate in his/her statement the legal justification for the search. The Incident Report shall contain all pertinent information concerning the search including:

Legal justification for the entry/search;

Results of the search;

Any injuries that occurred;

Any property damages that occurred;

Officers who entered the property; and

vi. The name and date of birth of the consenting person (if applicable) and their relationship to the property searched.

If the search of a building/dwelling does not result in an arrest, property damage or seizure of evidence or contraband, the fact that a search occurred and the legal justification for it should be documented via added remarks in the ARMS Incident Report.

Officers assigned to a search warrant shall complete a supplement stating their assignment and actions taken if they were responsible for:

Using force to subdue or detain individuals;

Causing damage;

Locating, recovering or documenting evidence; or

When directed by the Sergeant.

If damage to property occurs during the course of a search and/or the resulting arrest or property seizure:

The Sergeant shall be notified;

Photographs will be taken to document any known damages.

Officers shall document the following:

Photographs showing damage;

Consent to Search form; and/or

Audio and/or video recording of consent granted.

9-200 Warrants

9-201 SEARCH/ARREST WARRANT REQUIREMENTS

Search warrants shall be drawn up by investigating officers or the Sergeant. If any doubt exists as to probable cause for the warrant, a city or county attorney shall be contacted for assistance. Officers shall follow all listed requirements on the warrant including serving a copy of warrants and inventory receipts to the affected parties.

Search and/or arrest warrants shall be executed in accordance with the state of Texas requirements. A warrant can only be executed between 0700 hours and 2000 hours, unless the court authorizes a nighttime search outside of these hours.

The presence of media or other third parties during the execution of a warrant is prohibited unless their presence is necessary to aid the execution of the warrant.

At the conclusion of a warrant, officers shall ensure that the location of the search will be returned to the condition it was in prior to the search and the items and documents seized pursuant to the

warrant (i.e., drawers will be placed back into dressers, clothes removed from drawers will be placed back inside, mattresses will be returned to their bed frames, etc.).

Officers will report any damage done to property as a result of police actions. This documentation shall include damage done by officers to gain access to the premise and damage done as a result of lawfully searching for evidence. Damage done to vacant premises shall also be documented. This documentation must include the condition and detailed description of the property damaged; i.e., hollow core door vs. six panel oak door, porcelain sink vs. oak vanity with marble sink, etc.

9-202 WARRANT ARRESTS

South Texas College Police Officers may serve warrants within the State of Texas. Officers in contact with a person suspected to be wanted on a warrant shall confirm that the warrant exists through TLETS. If a warrant does exist for the individual, the suspect shall be transported to the County jail.

If a warrant is from out of state, officers shall obtain the number of the warrant from TLETS and provide it to personnel at the County jail.

9-203 PLANNED ARREST AND SEARCH WARRANT PROCEDURE

The Sergeant shall be present at briefings and executions of all planned search warrants.

If available, suspect photographs should be obtained prior to serving felony warrants or when attempting felony pick-ups.

Request for assistance from other agencies will be made in a timely manner.

9-204 WARRANT PROCESSING - ADDITIONAL CHARGES

Officers arresting a suspect who also has outstanding warrants may process the suspect on both the warrant and the additional offense.

10-100 Crime Scene Reporting

10-101 CRIME SCENE SUPERVISION

Crime scene processing will begin after incident stabilization of the scene. Incident command priorities of life safety, search and rescue and security precede crime scene preservation and processing.

Only the Chief can relinquish a scene to another investigative agency.

After incident stabilization, the on-scene ranking investigative officer, or designee will be in charge of a crime scene within the yellow tape. The Sergeant or designee is in charge of the scene outside the yellow tape. Until an investigative officer arrives, the Sergeant will be responsible for the entire scene.

Scene security shall remain in place until investigative personnel have finished processing the scene. Officers working security may only be released from an active scene on agreement between investigative personnel and the Sergeant.

Immediately after a crime scene has been secured using yellow crime scene tape, it is the on-scene investigators responsibility, or their designee's, to designate a point of entry and exit into the crime scene. All personnel shall enter and exit the crime scene at the designated point of entry.

The on-scene investigator shall designate an officer to start and maintain the Crime Scene Entry Log. The officer responsible for the log shall be placed at the point of entry. The officer will record his/her name and badge number, case control number, location, date and time at the start of the log. The officer will then record the names, employee/badge number, date, time in, time out, and the reason for entering the scene of all officers or other personnel that enter the scene past the yellow tape.

The on-scene investigator, in consultation with the Sergeant, will designate and set up a staging area outside the yellow crime scene tape for media and other non-emergency personnel.

Once all South Texas College personnel have cleared the scene, the designated officer in control of the log will property inventory the log under the ARMS incident report number.

10-102 INITIAL OR PRELIMINARY INVESTIGATIONS

Preliminary investigations by a responding officer may be very restricted or may constitute the entire investigation of the crime. In a particular crime, the preliminary investigation may be limited by an officer's assigned responsibilities. An officer should not continue a preliminary investigation to the point where the investigation will jeopardize other job responsibilities or duties.

10-103 FOLLOW-UP INVESTIGATION BY UNIFORMED OFFICERS

Uniformed officers may conduct a follow-up investigation upon approval of the Sergeant when there is a reasonable chance of apprehending the suspect, when there is a need for obtaining additional information for the preliminary investigative report, or when there are other compelling circumstances.

10-104 RECOMMENDATION UPON COMPLETION OF INITIAL INVESTIGATION

Uniformed officers, upon completion of their initial investigation, will conclude the ARMS incident report with one of the following comments:

RECOMMENDATION: CASE CONTINUED PENDING FURTHER INFORMATION OR LEADS

This will be used if the decision is not to recommend further use of police investigative resources.

RECOMMENDATION: FURTHER INVESTIGATION

This will be used if the decision is to recommend further use of police investigative resources.

10-105 CASE CLOSED BY ARREST – MISDEMEANORS

Uniformed officers, upon completion of their initial investigation, shall close by arrest or citation all ARMS incident reports when the following elements are present:

The crime is a misdemeanor; and

All known suspects are arrested or issued citations; and

Victims and witnesses have been interviewed; and

There is no further investigation required.

The narrative of the ARMS incident report must reflect investigative findings supporting the recommended disposition and also the following:

The full name and date of birth of the suspect.

Charges, statute or ordinance numbers.

Citation number, if one is issued.

EXAMPLE: CASE CLOSED - BY ARREST - CITATION #

Officer John Doe, Badge #104

10-106 DEATH DETERMINATION

The primary responsibility of an officer in any situation is to take all steps necessary to preserve life. Except when a person is obviously deceased, it shall be the responsibility of a physician or Emergency Medical Services (EMS) personnel to determine if death has occurred. EMS shall be requested at the scene of an apparent death unless a physician is present or there is not even a remote possibility that the person is alive.

10-107 HOMICIDE OR SUSPICIOUS DEATH SCENE

The first officer to arrive at a homicide or suspicious death scene shall notify the Sergeant immediately.

The first officer at the scene shall immediately take the following measures:

• Request assistance in securing the scene.

• Secure the area where the crime was committed and where the body was found. For an indoor scene, seal off all points of entry and exit. For an outdoor scene, use crime scene tape to immediately rope off the area, securing the largest area possible. Efforts should be made to protect evidence from the elements. Be aware of the possibility of multiple scenes.

• Do not allow any unauthorized persons to enter or leave the scene. Identify any unauthorized persons attempting to enter the scene and relay this information to the on-scene investigators. No one shall be permitted to approach the scene until investigators arrive.

• Do not allow anything to be touched or moved at the scene. Do not move a weapon unless it presents an immediate danger. Do not cover the body with anything or allow anyone else to cover the body. If possible, and without disturbing evidence, create a secure environment around the body so that it is not in plain view of the public until the arrival of the investigator.

• Upon arrival at the scene, the investigator shall be responsible for placing a barrier around the body.

• If covering the body is not possible, the Sergeant will use other methods that might be available, i.e., a vehicle, bus, etc. placed to obstruct viewing by the public.

• If anything is touched or moved, inform investigators and document it in the ARMS incident report. Do not remove anything from the scene unless instructed by investigators.

Identify and isolate all witnesses as soon as possible. Identify witnesses by name, date of birth, home address, telephone number, business address, business telephone and business hours. All

Eliminate sightseeing at the scene, including police. Do not discuss the incident; direct all requests for information to the Sergeant.

10-108 NOTIFICATION OF THE MEDICAL EXAMINER

In the event of a homicide or suspicious death, an on-scene investigator shall notify the Justice of the Peace as soon as possible. The Justice of the Peace will determine whether to release the body to a funeral home.

10-109 SEARCHING DEAD BODIES

Officers shall prevent anyone other than investigators or the Justice of the Peace from searching dead bodies. A witness, preferably a family member, shall be requested to remain at the scene and shall be identified in the ARMS Incident Report. Any personal effects taken from the deceased by anyone shall be documented in the report. Death weapons or other property of the deceased, when taken for evidence, shall be itemized and signed for by the officers.

10-110 TRANSPORTATION OF DEAD BODIES

A dead body shall only be moved after the Justice of the Peace directs the removal.

10-111 DEAD BODIES – ARMS INCIDENT REPORTS

When officers are assigned a dead body call and there are no suspicious circumstances, the officers shall make an ARMS Incident Report titled "DOA" (Dead on Arrival). The report shall include all pertinent information regarding identification, probable cause of death, name of the Justice of the Peace and removal of the body.

If the identity of the body cannot be established after the Justice of the Peace arrives, officers shall use "unknown" for the victim's name on the report. A complete description of the victim shall be included.

It is expected that officers will give reasonable aid and comfort to the family members present and ensure that they are able to make necessary arrangements.

10-112 NOTIFICATION TO RELATIVES

It is the legal responsibility of the Justice of the Peace to make proper notification to relatives of the deceased. Officers may at times assume this responsibility when it might be helpful to the investigation. Officers shall inform the Justice of the Peace of these special circumstances.

10-113 SEXUAL ASSAULT INVESTIGATIONS

Officers assigned to sexual assault investigations shall respond immediately and determine if the victim needs medical assistance. If the crime was recently committed, the suspect's description should be broadcast over the radio. The crime scene shall be thoroughly investigated and processed since the scene will be a major factor in determining whether or not the case is prosecuted.

As part of the preliminary investigation, officers shall also:

- Instruct the victim not to wash, change clothes or clean the crime scene until evidence can be gathered. Request that the victim submit to a physical examination at a designated hospital for necessary treatment and examination for sexual assault evidence.
- Secure the scene if the sexual assault is of a nature where forensic or other evidence may be found. The Sergeant shall respond to the scene if forensic evidence may be found.
- Inventory all of the victim's clothing (undergarments, etc.), sheets, blankets, Kleenex, towels, etc., which may contain traces of evidence. All items must be packaged separately in containers, and properly marked for identification.
- Transport the victim to the designated hospital for necessary treatment and examination.
- Make arrangements for the victim's transportation home after the medical examination.
- Complete all necessary reports including the ARMS Incident Report and all victim and witness statements.

When a suspect is apprehended for sexual crimes, inventory all of the suspect's clothing, including undergarments and personal effects. All items shall be packaged separately and properly marked for identification.

If a suspect is arrested on a P.C. pick-up, the officer shall be responsible for obtaining the victim's name, address and phone number. If the victim is a minor, the officer shall list the minor's parent or guardian as a contact person and a pseudonym will be used to identify the victim.

10-114 DATE RAPE DRUGS

"Date rape drugs" may be a contributing factor in cases of sexual assault. The most commonly used drugs for this purpose are Rohypnol, Ketamine, GHB and GBL.

South Texas College police officers responding to a suspected sexual assault should take note of any of the following symptoms displayed by the victim. Symptoms similar to intoxication may indicate the use of date rape drugs. All symptoms shall be documented in the ARMS incident report.

- A loss of memory or blackouts with minimum use of alcohol;
- Severe drowsiness;
- Difficulty in walking and other motor movements;
- Slurred speech and impaired judgment

If the victim complains of any of the above symptoms or similar symptoms, they should be transported immediately for a date drug exam. When the victim arrives at the hospital for the exam, the officer should immediately notify the hospital staff of the possible use of a "date rape drug."

Hospital staff will be responsible for drawing the needed blood/urine samples from the victim for later processing. It should be noted that the body metabolizes most of these substances within 12 hours, so the samples must be drawn immediately. If possible, the officer shall note the time of ingestion of the substance and the time of the sample draw in the ARMS incident report.

If available, the samples should be collected along with the victim's clothing and property inventoried by the officer. If circumstances do not allow the transfer of evidence at that time, the hospital may retain the samples and/or clothing for an investigator at a later time. All evidence relating to the investigation should be property inventoried.

10-115 PREDATORY OFFENDER REGISTRATION

Per Texas state law, offenders are required to register their address with local law enforcement within 5 days prior to changing addresses.

10-116 PREDATORY OFFENDER COMMUNITY NOTIFICATION

All convicted predatory offenders released from prison, and required to register with their local police department per Texas state law.

10-117 OFFICER-INVOLVED SHOOTINGS

The Chief shall be notified of all officer involved shootings. The Lieutenant and Sergeant shall proceed to the scene of the shooting.

10-118 EVIDENCE PROCESSING

All evidence that is collected by South Texas College police officers shall be property inventoried.

No evidence shall be taken to any outside agency for analysis without the prior written approval of the Chief.

10-119 SURVEILLANCE VIDEO COLLECTION AND FORENSIC VIDEO ANALYSIS

South Texas College police officers shall obtain surveillance video recordings if it is available and identify the video recordings in a supplemental ARMS incident report.

10-200 Investigative Procedures

10-201 ALLOCATION OF RESOURCES

Priority of investigation and allocation of resources must be based upon the relative seriousness and solvability of each reported crime. Reported crimes will be investigated to the fullest extent possible.

10-202 USE OF INFORMANTS AND IMMUNITY FROM PROSECUTION

Often information from confidential sources is the investigative lead that solves a case and without it, there could not be a prosecution. Information is received by the South Texas College Police Department regarding criminal activities and suspects from persons in all walks of life. Regardless of their motivation, the use of informants is a basic weapon in the fight against crime, and they are a judicially recognized source of information. An informant's motivation should be carefully evaluated in determining the reliability of the information.

Informants will sometimes offer to exchange information for immunity, consideration in sentencing, or for their release from criminal charges. Such immunity or consideration may properly be granted only by the prosecuting authority and/or a judge in a judicial proceeding. Neither the South Texas College Police Department nor any of its members may promise any person immunity from prosecution or consideration in sentencing.

10-203 INTERVIEWING SUSPECTS IN HOSPITAL

When officers interview suspects who have been admitted to any hospital, prior permission must be obtained from the Administration Office of the hospital, the doctor in charge of the patient, or the head nurse. This does not pertain to suspects in emergency rooms being contacted by officers on immediate follow-up investigations.

Juveniles may be interviewed in hospitals with the hospital's permission, but only after an attempt has been made to also contact the parents for their permission.

10-204 CUSTODIAL INTERROGATIONS/INTERVIEWS

Officers shall inform the suspect of their constitutional rights during any custodial interview.

10-205 STATE ADMINISTRATIVE FORFEITURE

I. PROCEDURE

It shall be the procedure of the South Texas College Police Department that all employees of this agency shall follow all state and federal laws pertaining to the processing of property seized for forfeiture.

II. DEFINITIONS

Cash: Money in the form of bills or coins, traveler’s checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit

cards, gift cards/certificates or other negotiable financial instruments. Does not include personal checks.

Conveyance Device: A device used for transportation and includes but is not limited to a motor vehicle, trailer, bicycle, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

Firearms/ammunition/firearm accessories: A device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, fire arm optics, suppression devices, cleaning supplies, etc.

Forfeiture: The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture/Seized Property Reviewer: A department employee responsible for reviewing all forfeiture cases and is the liaison between the department and prosecutor's office.

Forfeiture Submission form: Form mandated by state statute, completed by officers and submitted to the Forfeiture/Seized Property Reviewer.

Notice of Seizure and Intent to Forfeit Property form: Form completed by officers at the time of property seizure; to be distributed as directed on the form. Notice of Seizure and Intent to Forfeit Property forms are available for seizures made specific to: Controlled Substance Crime, Impaired Operation, Prostitution, Drive by Shooting and Fleeing Police Officer.

Jewelry/Precious Metals/Precious Stones: The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

Property Inventory form: Form completed upon property inventory.

Property Receipt form: The form completed by officers at the time of property seizure.

Seizure: The act of law enforcement officials taking property, including cash, vehicles, etc. that has been used in connection with or acquired by illegal activities.

III. RULES / REGULATIONS

A. Administrative Forfeiture Procedure – Controlled Substance Crimes

The following property may be seized and is presumed to be subject to administrative forfeiture if the item has a retail value of greater than $300.00 and less than $50,000.00:

- All money, precious metals and precious stones found in proximity to controlled substances;
- All conveyance devices containing controlled substances with retail value of $100 or more if possession or sale of the controlled substance would be a felony.
- All firearms, ammunition and firearm accessories found:
  - in a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;
  - on or in proximity to a person from whom a felony amount of controlled substance is seized; or
  - on the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony.

When any property as described in the above section is seized, the peace officer making the seizure must prepare the following documents for each person whom property is being seized from:

- The "Notice of Seizure and Intent to Forfeit Property - Controlled Substance Crimes" form. This form must be completed to include the following:
- a list describing each item seized
- the name of the individual served with the Notice
- location of seizure
- date of seizure
- agency case number
- signature, date, and location where notice was served (written by the police officer conducting the seizure).
- Property Receipt Form.
- Forfeiture Submission Form.

Probable cause report explaining probable cause for the seizure to include type and weight of controlled substance and result of field test.

The individual whom property is being seized from must be given an opportunity to sign the seizure notice form.

- If the person refuses, the police officer conducting the seizure must note the refusal to sign.

A copy of the Notice of Seizure and Intent to Forfeit Property Controlled Substance Crimes form and a copy of the Property Receipt shall be given to the individual served.

All property subject to and being processed for forfeiture through must be held in the custody of the South Texas College Police Department.

The officer conducting the seizure shall forward the following to the Forfeiture/Seized Property Reviewer within 5 days of seizure:

Notice of Seizure and Intent to Forfeit Property Controlled Substance Crimes form

Property Receipt form

Forfeiture Submission form

B. Administrative Forfeiture of Cash Procedure – Controlled Substance Crimes

Cash will not be seized if it has an aggregate value less than $300.00 unless pre-recorded buy funds are included in the cash seized.

Officers shall examine all cash seized to determine whether it contains any buy funds. When buy funds are recovered:

Photocopy the recovered buy funds and property inventory the photocopy.

Return recovered buy funds to the appropriate unit's buy fund account.

Document that buy funds were recovered.

Cash shall be recounted and the amount verified by another employee of the South Texas College Police Department. The cash envelope and/or inventory receipt shall then be co-signed.

All forfeitable cash seized will be property inventoried.

If cash is seized from multiple individuals, a Property Inventory form will be completed for each individual.

The Property Inventory form shall specify the total amount of cash seized from each individual.

The Property Inventory form shall also contain a detailed description of all checks, money orders and/or travelers' checks or other financial instruments.

C. Administrative Forfeiture of Property other than Cash – Controlled Substance Crimes

Seized jewelry, precious metals and/or precious stones shall be property inventoried.

Forfeiture of Conveyance Device

Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area.

Officers shall inventory the conveyance device and its contents.

If the driver, who received a seizure notice, is not the registered owner, the officer will serve the registered owner a seizure notice via certified mail.

Seized firearms, ammunition or firearms accessories shall be property inventoried.

D. Administrative Forfeiture Procedure – Impaired Operation (DUI)

Vehicles may be seized and are presumed under Texas law to be subject to administrative forfeiture incident to a lawful arrest for the violation of a designated drinking and driving offense.

When a vehicle is seized for impaired operation, the police officer making the seizure must complete the "Impaired Operation - Notice of Intent to Administratively Forfeit Vehicle" form.

The individual from whom the property is being seized must be given an opportunity to sign the seizure notice form.

If the person refuses, the police officer conducting the seizure must acknowledge on the form, the refusal to sign.

The form shall be distributed as directed as required.

If the driver, who received a seizure notice, is not the registered owner, the officer will serve the registered owner a seizure notice via certified mail.

E. Administrative Forfeiture Procedure – Flee in Motor Vehicle

Vehicles may be seized and are presumed under Texas law to be subject to administrative forfeiture if the vehicle was used to commit or facilitate, or used during the commission of a violation of Texas law.

When a vehicle is seized for fleeing a police officer, the police officer making the seizure must complete the "Notice of Seizure Motor Vehicle Fleeing Police Officer" form.

The individual from whom the property is being seized must be given an opportunity to sign the seizure notice form. If the person refuses, the peace officer conducting the seizure must note the refusal to sign.

If the driver, who received a seizure notice, is not the registered owner the officer will serve the registered owner a seizure notice via certified mail.

10-300 Investigative Case Management

10-301 USE OF CASE FILE

Officers doing an investigation shall use a case file consisting of the following:

Manila folder with fastener and clip attached.

Witness and court date information format on outside cover.

Checklist form attached to the inside of the front cover.

All the various reports contributing to the case attached to the inside of the folder with a fastener and clip.

All reports and/or entries shall be in the exact order specified on the case file cover page and checklist form.

All reports and/or entries for a particular line item shall be in chronological order.

In instances where the case is too large to house within a standard manila case file folder, a three ring binder may be substituted. In these instances, the case file cover page and checklist form shall be the first (top) page in the binder.

10-302 SUPPLEMENTARY REPORT PREPARATION

All investigative personnel will make the following notations on their supplementary reports in the manner described below. Case status phrases must appear as the very last statement on each supplement and must be typed in all capital letters.

1. **CASE CONTINUED - OPEN:** Phrase indicates that the investigation is being pursued. Example:

CASE CONTINUED - OPEN

Sgt. John Doe, Badge #:4758

2. **CASE CONTINUED - PENDING FURTHER INFORMATION OR LEADS:** Phrase indicates that investigation is NOT being pursued until such time as additional information or leads are received. Example:

CASE CONTINUED - PENDING FURTHER INFORMATION OR LEADS

Sgt. Jane Doe, Badge #:5748

3. **JURISDICTION CHANGE:** Narrative must reflect investigative findings supporting the following elements:

Reason for the change.

Date and time of transfer.

Full title of agency and investigator case sent to.

EXAMPLE:

Jurisdiction changed to the Federal Bureau of Investigation, Special Agent John Wall, on 12/01/92, 1500 hours.

Sgt. John Doe, Badge #:4857

4. **CASE CLOSED - EXCEPTIONALLY:** Narrative must reflect investigative findings supporting the following elements:

Suspect ID known.

Sufficient information to arrest, charge and locate suspect.

Reason why suspect cannot be arrested, charged and located.

EXAMPLE:

CASE CLOSED - EXCEPTIONALLY

John L. Jones, DOB: 05/08/55, identified as suspect by witness, died on 12/10/92 in car

Sgt. Jane Doe, Badge #:5748

5. **CASE CLOSED - BY ARREST/COMPLAINT:** Narrative must reflect investigative findings supporting the following elements:

Date and time case submitted; and

Prosecutor and agency (city or county); and

Whether or not a complaint was issued; and

Name of judge complaint was submitted to for signature; and

Suspect's full name, DOB, and ARMS incident report number

Charge, statute/ordinance number.

EXAMPLE:

On 12/01/92 at 1400 hours, case was presented to Assistant County Attorney, Jane Roe, who issued complaint charging Don Doe, DOB: 01/11/48, ARMS incident report number: 2013-12345 with First Degree Criminal Sexual Conduct, 609.342. Complaint was signed by Judge Roe Doe and filed in the Clerk of District Court's Office at 1530 hours, 12/01/13.

6. **PROPERTY DISPOSITION:** Narrative must reflect the following disposition elements:

Property Inventory Number; and

Line item number; and

Disposition, i.e., release, hold, destroy and by whom, and

The name of the person to whom the property is to be released.

This information does not have to be reflected in the narrative if all the information listed above, including a name of an individual person for each specific item to be released, is listed on the Property Disposition form

EXAMPLE:

Property disposition P.I. #10,000-85 Lines 1 through 9 to be held until final disposition in court.

Lines 1 through 8 after disposition may be returned to Don Edward Doe.

Line 9 is to be destroyed after disposition.

P.I. #10,001-85 Line 1, currency in the amount of $75.00 may be returned to Don Edward Doe upon request.

Signed: Sgt. Jane Doe, Badge #:4857

7. **CASE CLOSED - UNFOUNDED:** Narrative must reflect investigative findings supporting one of the following disposition elements:

No offense

No attempt

False report

Baseless

EXAMPLE:

CASE CLOSED - UNFOUNDED

False report

Sgt. John Doe, Badge #:5748

The sergeant is responsible for review of all case closures assuring that cases are completed in an accurate and timely manner.

When the original offense is changed for any reason, the change must be noted in a Supplementary Report written on that case.

10-400 Property and Evidence

10-401 RESPONSIBILITY FOR INVENTORY OF PROPERTY AND EVIDENCE

Definitions:

Property – any material object of value, however slight, tangible or intangible to which an owner has a legal right.

Evidence – documentary or oral statements and material objects admissible as testimony in a court of law.

All South Texas College Police Department employees taking possession of property, whether evidentiary or non-evidentiary, shall place such property in the custody of the Property and Evidence officer and complete the inventory prior to the end of their shift. The inventory shall include all evidence seized regardless of whether an arrest has been made.

Exception to this requirement:

South Texas College Police Department employees taking custody of evidence requiring immediate review, which has been obtained in a search warrant. In these instances, all items shall be property inventoried as soon as practical. It is strongly advised that all suspected narcotics, cash and firearms be inventoried prior to the end of the officer's shift. Until items are property inventoried, the officer is responsible for assuring that the items recovered are securely stored and the chain-of-custody is maintained.

Officers shall property inventory evidence created during the course of an investigation (such as audio/video recordings of interviews) as soon as practical given the nature of the case.

The clothing and all personal effects used to identify an arrested person shall be inventoried by the arresting or assisting officers. When a suspect is charged or released, the Sergeant shall decide if the suspect's clothing and/or personal effects need to be held as evidence. If there is no legal basis to hold the items, the Sergeant shall immediately authorize release of the items.

10-402 MARKING EVIDENCE AND CHAIN OF CUSTODY

South Texas College Police Department employees may mark or label evidence recovered from a scene or involved persons. Marking evidence may assist with the case investigation. Items should be marked with the following information: badge number, date and time of recovery, case control number and other identifying information.

The evidence may be identified using markers, tape, tags, containers or envelopes. Property and/or evidence shall not be marked in such a way as to ruin the evidentiary value or render the items

useless. The employee marking the item shall retain custody of the property/evidence until it is properly inventoried.

All persons viewing or taking custody of property/evidence from the evidence room shall sign the Property Inventory form. The employee signing for evidence is responsible for that evidence until it is turned over to the court, returned to the owner, or returned to the evidence room.

10-403 MARKING FIREARMS

The South Texas College Police Department employee(s) responsible for property inventorying firearm(s) shall complete a 'trigger tag' and have it attached to the trigger guard area (if possible). Trigger tags shall be completed with the following information: badge number, date and time of recovery, serial number, case control number and any other identifying information.

10-404 INVENTORY OF FIREARMS

Under no circumstances are loaded weapons to be brought into the evidence room (with exception of sworn employees' duty weapons). Firearms that are to remain loaded, or that may be 'jammed' shall be secured in an evidence locker along with a completed Property Inventory Form indicating the condition of the item(s) as well as documenting the serial number, make and model, if known. The outside of the locker shall also be flagged in a way as to notify personnel of a potentially loaded or 'jammed' firearm.

10-405 PROPERTY TO REMAIN SEALED

All property and evidence inventoried at the evidence room is subject to verification prior to inventory. Not all items are required to be in a sealed package. Situations in which the integrity of evidence may be compromised by unsealing will be handled on a case-by-case basis.

10-406 EVIDENCE REQUIRING TESTING OR ANALYSIS

Only South Texas College Police Department employees shall be allowed to sign-out evidence requiring testing or analysis.

10-407 INVENTORY OF COIN AND CURRENCY

Cash envelopes containing more than $200.00 shall have the signature and employee number of the Sergeant on the envelope. Officers may issue a Receipt for Currency to the person from whom the cash was obtained.

Officers shall list the denominations and document the amount of cash confiscated and property inventoried in the corresponding report.

U.S. and foreign currency shall be placed in separate envelopes and inventoried. Foreign currency will be listed at no value.

10-408 COUNTERFEIT CURRENCY

All suspected counterfeit currency shall be inventoried separate from other currency, and detailed by denomination and serial number. On a regular basis, the United States Secret Service obtains and analyzes suspected counterfeit U.S. Currency.

10-409 EXPLOSIVES, FIREWORKS AND HAZARDOUS CHEMICALS

When officers encounter a situation involving suspected explosives, hazardous or potentially hazardous chemicals at a scene, they shall contact the McAllen Police Department and request the bomb squad to investigate.

10-410 PROPERTY RELEASED PRIOR TO BEING PLACED IN THE EVIDENCE ROOM

South Texas College Police Department employees releasing any property not already inventoried and placed in the evidence room shall complete a handwritten Property Inventory Form, detailing the item(s) of property being released. The name and address of the individual to whom the property is released shall be clearly printed on the form. The individual receiving the property shall sign above their printed name. The completed Property Inventory Form shall then be placed on file.

10-411 AUTHORIZED ADMITTANCE TO PROPERTY AND EVIDENCE UNIT

Only personnel and who have valid South Texas College Police Department business are allowed entry in to the evidence room. Only the designated evidence custodian and Chief will have access to the evidence room and each access shall be documented with a sign in sheet.

10-412 DISPOSITION OF EVIDENCE

Assigned officers are responsible for indicating the disposition of evidence when a case is closed or inactivated. If an officer indicates the disposition of evidence is to be held for "Adjudication," a date shall be entered which is consistent with the state statute of limitations. If evidence is to be retained for a longer period of time, it is the responsibility of the officer to update the disposition status, including the date. A supplement shall be entered to the case documentation indicating the reason for the extended retention period.

10-413 PROPERTY RELEASE - NARCOTICS

No narcotic drug or controlled substance shall be released from the evidence room without written authorization given by the Lieutenant or Chief.

10-414 RELEASE OF FIREARMS & WEAPONS

Only the Lieutenant or Chief has the authority to release firearms that have been inventoried in the evidence room.

10-415 PROPERTY RECEIVED IN EVIDENCE AT A TRIAL

All property received into evidence in court shall remain in the custody of the court until disposition is made by order of the court.