

## **DEPARTMENT ORGANIZATION AND FUNCTION**

**1.01** Structure and scope of the Texas Southern University Police Department is reflected in the Organization Chart. Police position titles of Organizational Units are listed in order of rank.

**1.02** **Department** shall be the Texas Southern University Police Department.

**1.03** **Division** shall be a specialized unit within the Department.

**1.04** **Police Positions Established**

The order of Commissioned Positions, by rank, in the Department shall be:

- A. Chief
- B. Captain
- C. Lieutenant
- D. Sergeant
- E. Officer

**1.05** **Function by Rank**

**Chief of Police**

The Chief of Police is the Chief Administrative/Executive Officer of the Department, and the University's Director of Public Safety. Upon him/her rests the final authority for determining office procedures, together with full responsibility for the complete discharge of all duties imposed on the Chief of Police by law.

The Chief of Police as the Administrative Officer must officially sanction and approve any changes in office organization and/or procedures.

The Chief of Police shall designate any position of command or responsibility deemed necessary for the administration of the Department.

**Captain**

The Captain is the "Executive Officer" of the department and supervises the activities of the Division in accordance with the procedures prescribed by the Chief of Police. He/she is subordinate to the Chief of Police, in accordance with

the established department organizational chart. He/she is responsible for and exercises command over the areas and duties delegated to him/her. He/she is responsible for establishing and enforcing Division procedures. He/she shall be directly responsible for the actions of subordinate personnel assigned to them.

### **Lieutenant**

A Lieutenant is designated as a Division Commander. He/she supervises divisional operations and is responsible to the Captain. It is also his/her duty to aid, advise and cooperate with his/her Captain (or the next in command) in general administrative matters and in determining Division procedures.

### **Sergeant**

A Sergeant is designated as a “first line” supervisor and is responsible for the entire actions of subordinates under his/her command in the performance of their duties. He/she is responsible for implementation and enforcement of all Department and University procedures and individual assignments as delegated by his/her divisional supervisors.

### **Police Officer**

Police Officer is charged with enforcing the Laws of the State of Texas and the performance of specific functions as designated by supervisors. A police officer may be assigned duties within any division of the department, including but not limited to; Patrol, Investigations, Training, Crime Prevention, Communications, Security, etc.

## **1.06 Civilian Positions Established**

### **Department Business Administrator (DBA)**

The Office Manager is a civilian, clerical supervisor. He/she is directly responsible for all financial matters regarding the department’s budgetary processes, including but not limited to payroll, departmental expenditures and etc. He/she reports directly to the Chief of Police, who may detail or relate specific administrative and executive duties to him/her. He/she is responsible for implementation and enforcement of all Department procedures within the Administrative Division.

### **Records Supervisor**

The Records Manager is a civilian, clerical supervisor. He/she is directly responsible for all police generated reports, both “hardcopy” and computer generated. He/she is responsible for ensuring compliance to all Federal and State mandated data reporting. He/she is responsible for the supervision of the department’s “parking decal” processes. The Records Manager reports directly to

the Chief of Police, who may detail or relate specific administrative and executive duties to him/her. He/she is responsible for the implementation and enforcement of all Department procedures within the Records Division.

### **Project Coordinator 1**

The Project Coordinator 1 (PC1) reports directly to the “DBA”. He/she is responsible for performing special projects that may require extensive research and data gathering as assigned through the Office of the Chief of Police. The PC1 has dual responsibilities to the Executive Captain for administrative projects. The PC1 is responsible for the updating of all departmental manuals as directed through the Office of the Chief of Police.

### **Senior Administrative Assistant**

The Sr. Administrative Assistant is responsible for performing duties delegated by his/her division supervisor. He/she may be designated as a supervisor over the clerical personnel in their division and be responsible for the assigned actions of subordinates in the performance of their duties. He/she is responsible for assisting with the implementation and enforcement of all Department procedures within the Administrative Division. The Sr. Administrative Assistant reports directly to the “DBA”.

### **Clerical Personnel (Clerks)**

Clerk personnel are assigned to specific Divisions and are responsible for their Division policies as well as the Department Policy. They report to the designated supervisor in the division and perform all clerical duties delegated by the same within a limited scope of the division responsibilities.

### **Communications Personnel (Dispatcher)**

Communications Personnel are assigned to the Department’s communication center and function as Police Dispatchers. They are responsible for handling all radio and telephone traffic within their assigned area and shift. They are responsible for police communications and data entries to the department’s law enforcement computer, including but not limited to; criminal history checks, driver license checks, and wanted person checks. They report to the designated Patrol Shift Supervisor (Sergeant).

### **Security Officer**

Security Officers are non-commissioned, uniformed personnel responsible for performing a variety of campus security activities and measures. Security Officers may be assigned to the department’s “Video Patrol Unit”, parking enforcement, and crowd/traffic control during daily or special event operations. Security Officers report directly to the Patrol Shift Commander.

## **1.07 Protocol of Succession**

In the temporary absence of the Chief of Police, the Captain will assume all duties and responsibilities of the Chief of Police. In the absence of the Chief of Police and the Captain, the Chief of Police will appoint an individual to act in his/her behalf. In this instance, the Chief of Police will denote the Supervisor in charge, in writing, for distribution to the Staff.

## **GENERAL RULES OF CONDUCT**

### **2.01 Procedure**

All employees of Texas Southern University Police Department will be deemed “members” of the department. Members will be governed by the following general rules of conduct. Violation by any member of the Department of the rules of conduct may be considered sufficient cause for dismissal, demotion, suspension, or other disciplinary action. In addition to these rules of conduct, members shall adhere to all University policy and procedure as well as department Standard Operating Procedures.

### **2.02 Abide by Laws**

Members of this Department shall abide by the Constitution of the United States and the laws of the State of Texas, the general orders, rules of conduct of the Department and the policies and procedures of Texas Southern University.

### **2.03 Obey Lawful Orders**

Members shall obey all lawful orders and directions given by superior officers, and shall obey the instructions given by police radio, regardless of the rank of the dispatcher, unless otherwise directed by a supervisor. Such obedience shall be prompt and willing. Members shall obey all lawful requests to answer questions, give statements, provide evidence, or take a polygraph, pursuant to all investigations, civil, criminal, and internal, conducted by this Department.

### **2.04 Insubordination**

The failure or deliberate refusal of any member to obey any lawful order given by any ranking officer shall be deemed insubordination. Flouting the authority of any ranking officer by obvious disrespect or by disputing his/her orders and/or improper conduct with the radio dispatcher shall likewise be deemed insubordination. (Improper Conduct shall be defined as not in keeping with conventional mores; indecorous.)

**2.05 Manner of Issuing Orders**

Orders from superior to subordinate shall be in clear understandable language, civil in tone, and issued in pursuit of Department business.

**2.06 Unlawful Orders Prohibited**

No commanding or supervisory officer shall knowingly or willfully issue any order which is in violation of any statutes, ordinance, Department Standard Operating Procedure or University Policy and Procedure.

**2.07 Criticism of Lawful Orders**

Members shall not publicly criticize or make derogatory comments about instructions or orders they have received from a superior officer. If any member has a concern with a lawful order they shall adhere to the chain of command.

**2.08 Conflict of Orders**

Should any order conflict with any previous order or instruction issued by another superior officer, or with any general order, the member to whom the order is given shall respectfully call attention to the conflict. If the superior officer giving the second order does not change their order to prevent the conflict, the second superior's order shall stand and the responsibility shall be on the second superior officer. If he so directs, the latter command will be obeyed first. Orders will be countermanded, or conflicting orders issued only when reasonably necessary for the good of the Department.

**2.09 Obedience to Unlawful Orders Not Required**

No member is required to obey an order which is contrary to the Laws of the United States or the Statutes of the State of Texas.

**2.10 Obedience to Unlawful, Improper or Unjust Orders**

Members who are given orders they feel to be unjust or contrary to general orders or the rules of the Department should first attempt to obey the order to the best of their ability and then follow the procedure in rule 2.09.

**2.11 Reporting Unlawful, Unjust or Improper Orders**

Any member, who is given any unlawful or unjust or improper order, shall at the first opportunity, report the full facts of the incident to his/her immediate supervisor or an on-duty supervisor, or the next higher ranking officer.

**2.12 Appeals from Unlawful, Improper or Unjust Orders**

Members may appeal for relief from orders or instructions which are unlawful or unjust. Such appeals must be made in writing to a higher authority in accordance with the department chain of command. Irresponsible or capricious appeals will be considered as serious misconduct.

**2.13 Performance of Duty**

Members shall perform all lawful duties as may be required of them by competent authority, whether or not such duties are specifically assigned to them in any rules or duty manual.

**2.14 Conduct and Behavior**

Members whether on or off duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit upon themselves and/or the Department.

**2.15 Responsibilities to Serve the Public**

Members shall serve the public by direction, counsel, and in other ways that do not interfere with the discharge of their police responsibilities. They shall respect the rights of individuals and perform their services with honesty, zeal, courage, discretion, fidelity, and sound judgment. Members should make every attempt to respond to an inquiry for services or assistance.

**2.16 Impartial Attitude**

Members, while being vigorous and unrelenting in the enforcement of the law, must maintain a strictly impartial attitude toward complainants, reportees, witnesses, and violators. Members shall at all times consider it their duty to be of service to anyone who may be in danger or distress.

**2.17 Duty to be Kind, Courteous, and Patient**

Members shall at all times be courteous, kind, patient, and respectful in dealing with the public, and shall strive to win the respect of all law abiding citizens by an impartial discharge of their official duties. When addressed, they shall assume a position of attentiveness. They shall avoid answering questions in a short and abrupt manner, and shall not use harsh, coarse, violent, profane, insolent, indecent, suggestive, sarcastic, or insulting language. They shall maintain an even, cheerful temper, regardless of the provocation, remaining cool and collected at all times. Members shall maintain professionalism at all times. Members shall avoid deliberate actions, conduct, or mannerisms that create a hostile working atmosphere.

**2.18 Giving Name and Department**

Members shall politely give their names, Department, and other pertinent information to any violators or other persons when requested to do so, unless such action is likely to jeopardize the successful completion of a police assignment.

**2.19 Truthfulness**

Members are required to be truthful at all times, whether under oath or not, in giving testimony, or in connection with any official order received, or in connection with official duties and departmental investigation.

**2.20 Respects for Fellow Members**

Members shall treat other members of the Department with the respect due them as fellow officers. They shall be courteous, civil, and respectful of their superior officers and associates, and shall not use threatening and insulting language. In addressing or referring to a ranking officer, his/her title shall be used when appropriate.

**2.21 Cooperation Among Members**

Members shall cooperate, support, and assist each other at every opportunity and shall not publicly criticize the work or the manner of performance of duty of any other member.

**2.22 Aiding and Protecting Fellow Members**

Members shall act together and protect one another in time of danger or under circumstances where danger might reasonably be impending.

**2.23 Interfering with Assigned Cases**

Members shall not interfere with cases assigned to other members except with the consent of the assigned member or under the explicit orders of a ranking supervisor. Members shall not unnecessarily interfere with the work or operation of any other division, other public service agency, or of the court.

**2.24 Interfering with Private Business**

Members shall not interfere in the lawful private business of any person.

**2.25 Cooperation with Other Agencies**

Members shall cooperate with all agencies engaged in the administration of criminal justice and other public departments, giving to each all aid and

information that they may be entitled to receive.

**2.26 Circulating Scandalous Stories or Criticism**

Members shall refrain from circulating scandalous stories about other members of the Department or other governmental employees, and shall refrain from circulating criticism of other governmental employees or agencies. Members' actions and conduct shall not discredit or embarrass the university, the department or its members.

**2.27 Plain clothes Officers - Identification**

Members working in plain clothes shall be prompt to identify themselves when the necessity arises. At the scene of an emergency where it is desirable to display the badge continuously, it shall be attached to the outermost garment over the left breast, attached to the belt, or around the neck on a chain specifically designed for the badge. The official Departmental raid jacket may also be worn.

**2.28 Departmental Memorandums**

All Departmental Memorandums directed to or affecting all Divisions and/or personnel of the Department will be issued only by the Chief of Police or his appointee.

**2.29 Divisional Memorandums**

Only the Captain or the highest ranking supervisor of a Division may issue a memorandum affecting all members of a Division. Any notice pertaining to Division procedures must have the approval of the Chief of Police or his designee.

**2.30 Personnel Information**

It is the responsibility of every member to have a reliable telephone number where they may be reached, on file in the department. It is also be their responsibility to keep the Administrative Office, Divisional Commander, as well as the Dispatch office notified of his/her current contact information.

**2.31 Motor Vehicle Inspection and Registration**

It is the responsibility of each employee to insure that the vehicle which they drive, either privately owned or assigned by Texas Southern University, meets all Texas Motor Vehicle Code (TMVC) requirements. This is to include current vehicle inspection sticker and registration. Members shall report any vehicle found in violation of the TMVC to the on duty Shift Commander. The Shift Commander shall order the vehicle "out of service" and report same to the department's Officer in Charge (OIC) of Fleet Management. The OIC of Fleet



Management shall ensure the prompt resolution of the matter.

### **2.32 Vehicle Maintenance**

All employees who are assigned and operate a State owned motor vehicle shall maintain the vehicle in good working order. Members shall report any vehicle found in need of service or repair to the on duty Shift Commander. The Shift Commander shall order the vehicle “out of service” and report same to the department’s Officer in Charge (OIC) of Fleet Management. The OIC of Fleet Management shall ensure the prompt resolution of the matter. All members who operate a State owned motor vehicle shall attend regular vehicular safety training as mandated by the state.

### **2.33 Profiling**

The purpose of this policy is to state unequivocally, that law enforcement activities that are the result of Bias-Based and/or Racial Profiling are not condoned, or unacceptable, and will not be tolerated by Texas Southern University Police Department. Bias-Based and/or Racial Profiling is unethical and illegal, and serves to foster distrust of law enforcement by the community we serve. This procedure will serve as a guideline for law enforcement personnel to prevent such occurrences and to protect our personnel, when they act within the provisions of the law and this procedure, from unwarranted accusations. (Refer to the Department’s Standard of Procedure (SOP) for detailed policy on the matter).

### **2.34 Procedure**

Law enforcement action must be based upon credible information known to the officer which leads him/her to believe that an individual is, has been or is about to be engaged in activity which is in violation of the law. Any other motivation for such actions is strictly prohibited. Race or ethnicity means of a particular descent, including but not limited to Caucasian, African American, Hispanic, Asian, Native American or Unknown descent. (Refer to the Department’s Standard of Procedure (SOP) for detailed policy on the matter).

### **2.35 Definitions**

**Racial Profiling-** Is defined as any pattern or practice, including but not limited to stopping, detaining, frisking, and searching, by officers that is based upon a generalized belief that a person of a particular race, ethnicity, or national origin is more likely to commit certain types of crimes.

**Bias-Based Profiling-** Is the selection of individuals based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

**Enforcement Activities-** Activities both on and off duty, undertaken by law enforcement personnel that arise from their authority related to employment, oath of office, State statute, Federal Law or County ordinance. Activities such as traffic contacts, field contacts, arrests, investigations, asset seizure and forfeiture, and general law enforcement contact with citizens.

**Reasonable Suspicion-** Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution believing that a violation of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This information can be based on observations, training and experience, and/or reliable information received from credible outside sources.

### **2.36 Traffic and Field Contacts**

- A. The Communications Division will be notified and a computer aided dispatch (CAD) entry will be made for every traffic stop or field contact. Traffic and field contacts between law enforcement officers and citizens will be conducted in a professional and courteous manner and all appropriate information for the racial profiling report will be obtained.
- B. Basic interpersonal communication protocol is as follows:
  - 1. Greet the person contacted in a respectful manner and identify yourself.
  - 2. State the reason for the traffic stop or temporary detention, focusing on the actions of the vehicle or circumstances rather than personalizing the violation.
  - 3. Ask the person if there was a reason for the violation, giving them the opportunity to establish a dialogue.
  - 4. Politely ask for identification and other required documents.
  - 5. Inform the driver or pedestrian as to what action is being taken and what actions, if any, the person must perform as a result of the enforcement action.
  - 6. Give a professional closing statement to end the contact. Refrain from using trite or colloquial expressions.
- C. Appropriate enforcement action shall always be completed and documented, generally in the form of a written warning, citation, or an arrest.
- D. When enforcement action is taken, the appropriate law enforcement agency documentation will be completed as required by the specific type of enforcement action and the guiding written directives pertaining to such enforcement action. All enforcement action documentation will include the gender, race or ethnicity of the person stopped or contacted, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
- E. No motorist, once cited or warned, will be detained beyond the point where there exists no reasonable suspicion of further criminal activity.

- F. No person or vehicle will be searched in the absence of a search warrant, or a legally recognized exception to the search warrant requirement, or the person's voluntary consent. Specific guidance pertaining to searches of vehicles, persons, or structures is provided in Search Procedures and Arrest Procedures.
- G. In the absence of a specific, credible report containing a physical or vehicle description, a person's race, ethnicity, gender or sexual orientation or combination of these will not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.

### **2.37 Law Enforcement Investigations**

- A. Criminal profiling in itself can be a useful tool to assist law enforcement officers in carrying out their duties to include the investigation of criminal activity and subsequent arrest as well as asset seizure and forfeiture efforts. Racial and Bias-Based profiling, however, is the selection of individuals based solely on a common trait of a group as defined in this procedure.
- B. Texas Southern University Police Department does not condone and will not allow the use of Racial or Bias-Based profiling in their enforcement programs to include investigations both incidental and on-going as well as subsequent arrest and asset seizure and forfeiture.
- C. Law enforcement personnel will focus on a person's conduct or other specific suspect information supported by articulated facts which indicate that the person has committed a crime, is about to commit a crime, or is presenting a threat to the safety of themselves or others.
- D. All law enforcement agency investigations will be carried out in accordance with established written directives.

### **2.38 Profiling Complaints / Racial Profiling Investigations**

- A. Any person may file a complaint with the law enforcement agency if they feel that they have been stopped, detained, or searched based solely on a Racial or Bias-Based profile.
- B. No person will be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- C. Any law enforcement personnel contacted by a person who wishes to file such a complaint will immediately contact a supervisor who will respond to the scene. The supervisor shall advise the complainant of the complaint process procedures and document the complaint. All complaints will be forwarded to the Chief of Police through the chain of command.
- D. All complaints of Racial or Bias-Based profiling, upon conclusion, will be sent to the Chief of Police and will contain investigatory findings, suggestions for disciplinary action, and/or recommendations for changes in procedures, training, or tactics.
- E. Depending on the findings of each complaint as well as the specific factors involved, corrective measures will be taken to remedy violations of this procedure. Corrective measures may include but are not limited to, training,

counseling, procedure review, and discipline up to and including termination of employment.

**2.39 Supervisor Responsibilities**

- A. Agency supervisors will be apprised of all Racial and/or Bias-Based profile complaints involving personnel under their command.
- B. It is the responsibility of the first line supervisors to monitor the activities of their personnel and to identify potential Racial and/or Bias-Based profile activity.
- C. Agency supervisors will complete a quarterly review of a sampling of traffic stops and citizen contacts as well as reports generated as a result of these incidents and activities. This review will be documented and forwarded to the Chief of Police with findings and recommendations.
- D. All supervisors will be particularly alert to potential patterns and practices of their personnel that may indicate Racial or Bias-Based profiling and treatment of individuals.

**2.40 Training**

- A. Training related to Racial or Bias-Based profiling will be provided to sworn personnel. This training will be provided in coordination with each agency's training officer and will include T.C.L.E.O.S.E. required curriculum involving:
  - 1. Annual legal update training
  - 2. Cultural Diversity
  - 3. Training as established by T.C.L.E.O.S.E.
  - 4. Crisis Intervention Training

**GREIVANCE AND SUGGESTIONS**

**3.01 Complainants and Grievances**

Members wishing to file a complaint and/or grievance shall do so in accordance with the procedures setout in the Texas Southern University Policy.

**3.02 Suggestions for Improvement of Service**

Members wishing to make suggestions for the improvement of the department service shall reduce the suggestion to writing and direct the suggestion through official channels to the Chief of Police. The written suggestion shall include, but not limited to: positive and negative issues of the recommendation, the financial cost of implementation of the recommendation, the recommended staffing, the operational procedures and any resources needed to implement the recommendation.

### **3.03 Departmental Suggestions**

All suggestions will be reviewed monthly by staff personnel. A response will be made to the originator of a suggestion concerning any decision. This information will be disseminated to department personnel. The final decision of any suggestion is the direct and complete responsibility of the Chief of Police.

## **ATTENTION TO DUTY**

### **4.01 Members Always Subject To Duty**

Although certain hours are allotted for the performance of duty, members are held to always be on duty at all times. When mentally and physically able, they shall at all time respond to the lawful orders of superior officers and to the call of citizens in need of police assistance. The fact that they may technically be off duty shall not relieve them from the responsibility of taking prompt, proper police action, or referral, in any matter coming to their attention and by their alertness and observation, demonstrate their interest in their work. Members are to give due consideration to the law enforcement agency with appropriate jurisdiction, the availability of “backup”, the availability of communications and the risk to innocent person. (i.e. “being the best witness you can be is performing your duty”.)

### **4.02 Required to Take Action**

Members are required to take prompt and effective police action conforming to Departmental procedures with respect to serious (felonious) violations of laws which puts the public in immediate danger, coming to their attention or of which they have knowledge. Members shall promptly and punctually perform all official duties. (i.e. “Reporting the violation to the law enforcement agency with jurisdiction is “taking action”.)

### **4.03 Outside (Extra) Employment**

Any employee found working an extra job while on duty, while on “sick leave”, on worker's compensation or assigned to light duty shall be subject to disciplinary action up to and including termination. An extra job, for the purpose of this directive, will be construed as any job where monies are received by a member in exchange for services rendered. "Drive throughs", as in apartment complexes or business parks, are extra jobs, just as patrol and/or stationary jobs, and are subject to the stipulations of this directive.

#### **4.04 Reporting for Duty**

Members, unless otherwise directed, shall report for duty at the time and place specified. They shall be properly uniformed and/or dressed in business attire (based on their duty assignment) and equipped with all tools necessary to effect the assignment. All members shall report for duty in a condition of physical and mental readiness.

Administrative sanctions (disciplinary actions) for tardiness during a continuous 12 month cycle (from the date of the incident) shall be as follows:

- First Offense – A memorandum documenting the “counseling” shall be placed in the member’s departmental personnel file.
- Second Offense – A “Verbal Warning” document shall be placed in the member’s departmental personnel file.
- Third Offense – Issuance of a “Written Reprimand”.
- Fourth Offense – Issuance of a “One-day Suspension” without pay.
- Fifth Offense – Issuance of a “Three-day Suspension” without pay.
- Sixth Offense – Termination of employment.

The above progressive disciplinary actions shall also apply to “Special Event” tardiness and/or calling off “sick” for a special event. Special Event disciplinary actions under this section shall be separate from those of regular duty time. The Officer in Charge (OIC) of Special Event shall have the authority to issue such disciplinary actions up to and including the third offense. The Captain shall have the authority issue disciplinary suspension of no more than one (1) day under this section. The Chief of Police shall issue all termination disciplinary action under this section.

#### **4.05 Availability When On Duty**

No member, when on duty and/or officially on-call shall conceal himself/herself except for some approved official police purpose. An officer will keep a supervisor informed of his whereabouts while on duty, be available by radio, or inform dispatch of their location.

#### **4.06 Meals**

An officer assigned to duty for a period of eight or more hours may suspend patrol or other assigned activity for the purpose of having one meal, but only for such period of time (not more than 30 minutes) and within a 2 mile radius of the University, unless otherwise approved by an on duty patrol supervisor. An officer assigned to uniform patrol must request permission from the on duty supervisor before taking a lunch break. No more than two marked patrol units may be located at a meal stop (unless authorized by a supervisor). All officers calling out for lunch are subject to and must be immediately available to answer any call for service.

All employees which are scheduled for a (9) hour work shift shall take a one hour lunch break with the same stipulations of this directive. Civilian personnel working a (9) hour shift shall be afforded a one hour lunch break.

**4.07 Prompt Response to All Calls**

Members shall respond without delay to all calls for police service from citizens or other members. Telephone calls shall be promptly returned, based on priority activity.

**4.08 Duty to Render Aid**

Members shall be attentive to and take suitable action on complaints by private persons. Members shall respond to proper requests for information or assistance. Members shall avoid giving the impression they are evading the performance of their duties or that they are not interested in the problems brought to their attention. Members shall not belittle trivial request, complaint, or piece of information, but shall invariably thank the complainant or informant regardless of the value of the information received.

**4.09 Maintaining Communications**

Members on duty, or when officially on call, shall be directly available by normal communications, or shall keep their office or supervisor informed of the means by which they may be reached, by pager or by public service.

Members sent on a call shall immediately, upon completion of the task, notify the dispatcher of their return to service.

**4.10 Giving Notice In Emergencies**

Members shall immediately notify, or have someone notify the Communication Division of the emergency situation. The Communications Division shall promptly notify the on-duty, Patrol supervisor of any immediate or imminent emergency. The Patrol supervisor shall make notification to the Police Department command personnel via the standard change of command.

**4.11 Reporting Hazards**

Members observing on the streets, sidewalks, or in public places, anything of a dangerous or hazardous nature that might cause public inconvenience, or that seems irregular or offensive, shall take proper action and report the full circumstances to the agency or department having jurisdiction or responsibility.

#### **4.12 Duty to Report All Crimes and Incidents**

Members shall report all crimes, violations, emergencies, incidents, and other information of concern to the Department that comes to their attention. Members shall not conceal, ignore, or distort the facts of any such incident. Members receiving or possessing facts or information relative to a criminal offense shall not retain such facts or information for ulterior motives, or desire for personal credit or glorification; but shall report the facts through official channels.

#### **4.13 Suppression of Vice**

Members shall be responsible for the prevention and suppression of all forms of commercialized vice and racketeering, including all illegal gaming, operation of gambling establishments, prostitution, sexual deviations, the illegal sale, manufacture, distribution or use of illegal drugs, or the illegal sale, manufacture, possession or distribution of alcoholic beverages.

#### **4.14 Reporting Bribe Offers**

Members shall make an immediate written report to their direct supervisor of any bribe offer.

#### **4.15 Completing Official Reports**

Members shall make reports promptly and accurately, that will conform to specifications of the Department. Members shall complete necessary reports before going off duty, unless otherwise directed and/or authorized by a supervisor.

#### **4.16 Reporting Accidents and Injuries**

Members shall immediately notify the on-duty Patrol supervisor of all traffic accidents and/or injuries sustained/ received in the line of duty, or when not in the line of duty; those which are apt to interfere with performance of duty; all property damage or injuries caused to other persons in the performance of their duty.

#### **4.17 Testifying in Departmental Investigations**

All members of the Department shall respond completely and truthfully to all questions regarding departmental administrative investigations. Any member, who when so directed by competent authority, refuses to answer questions or render untruthful statements to the relevant investigation, shall be subject to disciplinary action, up to and including termination of employment. All members shall be provided "Rights" as afforded by the U S Constitution regarding all criminal investigations and/or the "Rights" afforded them under the Garrity Act.



#### **4.18 Reporting Illness or Injury**

Members who become ill or injured, with circumstance that will interfere with the performance of their duty, whether on or off duty, shall promptly notify the on-duty Patrol supervisor, via the Communication Division. Any illness or injury, as described that occurs while off duty shall be reported within two (2) hours of the member's next regular tour of duty. The on-duty Patrol supervisor shall notify the member's immediate supervisor (if the member is outside the Patrol Division). The member's immediate supervisor shall ensure that all required documentation and/or reports are timely submitted.

#### **4.19 Responsibility to Know Laws, Policy and Procedures**

Members shall learn and thoroughly understand the laws and statutes they are charged with enforcing, and all standards and procedures established by this Department and University. They shall be especially well informed concerning the duties and procedures governing their specific assignments. Members shall be thoroughly knowledgeable of and comply with all Department and University policy and procedures.

#### **4.20 Keeping Posted on Police Matters**

Members shall study and familiarize themselves daily, when on duty, and immediately on return from absence, with the contents of roll call, the daily bulletin board, with all notices, orders, instructions, wanted circulars, or other directives. They shall enter in their memorandum book information relating to cases to which they are assigned, information pertaining to cases and areas of crime, incidence, and matters of concern to the Department and to the performance of their duties.

#### **4.21 Seeking Advice**

Members who are in doubt as to the nature or detail of their assignment shall seek such information from their immediate supervisor, before seeking direction from other supervisors or command staff.

#### **4.22 Carrying Official Identification Cards and Weapons**

When practical, commissioned members (police officers) shall carry their official Texas Southern University Police Department identification card, badge and weapon at all times. A weapon shall not be carried without an official identification card and badge.

#### **4.23 Loss of State Property**

Any member who has lost, damaged, or destroyed any university owned

equipment may be required to make restitution if the loss or damage is the result of negligence on the part of the member.

Any equipment issued by this department that becomes lost or stolen must be immediately reported to the member's immediate supervisor or the on-duty Patrol supervisor. The supervisor shall ensure that an incident report is promptly completed detailing the incident and forwarded through the chain of command to the Chief of Police.

#### **4.24 Reporting Needed Repairs**

Members shall promptly report to their immediate supervisor or the on-duty Patrol supervisor the need of repairs to any state owned equipment utilized by him/her, in his/her possession, or issued to him/her or brought to his/her knowledge.

#### **4.25 Handling of Private Property**

All members are responsible for protecting private property and/or equipment, which comes into their possession, by reason of their office against loss, damage, or destruction. Any member who has lost, damaged, or destroyed any private property that comes into his/her possession by reason of his/her position shall be required to make a report and may be required to make restitution for said property. This section shall apply to all property that has been seized, confiscated or taken for safe-keeping by any member.

#### **4.26 Care of Quarters**

Members shall maintain offices and desks used by them in a neat, clean and orderly condition. They shall not throw trash on the floors or discard any tobacco products on the floor or in waste receptacles. They shall not store property of any kind on the floor, on cabinets, or in other places open to view. Members working at desks shall clear them at the end of their tour of duty and shall place all material with which they have been working in cabinets or drawers.

#### **4.27 Duty to Act Promptly and Decisively**

Members shall act promptly and with energy, firmness, and decision at the scene of crimes, disorders, accidents, disasters, or other situations that require police attention, and in dealing with suspects and in disposing of their assignments. Members shall not give evidence of indecision or lack of confidence by their actions or "in actions".

#### **4.28 Patriotic Courtesy**

Members of the Department give due diligent to the National Colors and the National Anthem when in uniform. All uniformed members shall come to full “Attention” and give the appropriate “salute” at the passing of the United States flag. All members of the Department not in uniform on such public occasion shall stand at attention as the Colors pass.

#### **4.29 Restricted Activity of Department Personnel While On-Duty**

No on-duty personnel may leave the confines of the University while conducting official business without first obtaining approval from an on-duty supervisor. The officer shall then notify the dispatcher by radio of his/her time, mileage and destination when leaving and upon returning to the University. This section applies to personnel operating both University and privately owned vehicles. This section shall not apply to Police Department command staff members at the rank of Lieutenant and above.

### **RESTRICTIONS ON ACTIVITIES**

#### **5.01 Seeking Personal Preferment**

Members are forbidden to solicit petitions, influence, or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement, promotion, or change of duty for themselves or for any other member.

#### **5.02 Soliciting, Accepting Gifts, Gratuities**

No member of the Police Department will be allowed to accept any reward, gratuity, gift, or any like consideration, for any service or services performed as a result of or in conjunction with his duties as an employee of the Police Department, whether the service is performed in an on duty or off duty status. This does not preclude the acceptance of a salary earned by virtue of services rendered through officially approved extra job employment or the acceptance of awards sanctioned by the Chief of Police or the University.

#### **5.03 Accepting Gifts from Suspects or Prisoners**

Members are strictly prohibited from soliciting or accepting any gift, gratuity, loan, fee or any other thing of value, or from lending or borrowing, buying or selling anything of value from or to any suspect, prisoner, defendant or other person involved in any case or other persons of ill repute, professional bondsmen or other persons whose violations may profit from information obtained from the police.

**5.04 Gifts from Subordinates**

Without the express permission of the Chief of Police, members shall not receive or accept any gift or gratuity from other members of the Department who are junior in rank.

**5.05 Soliciting Special Privileges**

Members shall not use their official position to solicit special privileges for themselves or others, such as free admission to places of amusement, discounts on purchases, or other favors, nor continually patronize, while on duty, those businesses which give free or discounted meals and/or refreshments to police employees.

**5.06 Recommending Attorneys or Bondsmen**

Members shall not suggest, recommend, advise or counsel the retention of any attorney or bondsmen to any person coming to their attention as a result of a police business, except in the case where a relative is seeking such legal services or bail bond.

**5.07 Testifying for Defendant**

Any member, upon being called to testify for the defense in any trial, or against the University or interest of this Department in any hearing or trial, shall immediately provide copies of subpoenas, a full disclosure of the details of the case and focus of their testimony to the Chief of Police or his designee for review.

**5.08 Interviews / Written Statements with Attorneys, Outside Agencies, etc.**

Interviews and/or written statements with members of the Department and attorneys, investigators or personnel of any outside agency in all cases arising out of their Departmental employment shall take place in the presence of or with the knowledge and consent of the Department. The Captain is responsible for notifying the Chief of Police prior to any interview and/or written statement given.

**5.09 Assisting in Civil Cases**

Members shall not serve civil process nor render assistance in civil cases where they may be personally involved or have an interest in the outcome of the suit.

**5.10 Testifying in Civil Cases**

Members shall not volunteer to testify in civil actions on any case involving official police activity nor shall they testify unless legally summoned and the

Chief of Police has been previously notified.

**5.11 Civil Actions**

Employees are disqualified from bidding, purchasing or buying items from any storage company that is the result from any civil action performed by the University.

**5.12 Use of Intimidation in Civil Cases**

Members shall not use their official positions as a means of forcing or intimidating persons with whom they are engaged in civil controversy to settle the case in their favor.

**5.13 Notice of Suits Against Members**

Any member who has a lawsuit filed against him/her by reason of an act performed by him/her in the line of duty shall forthwith notify the Chief of Police, in writing, furnishing a copy of the complaint together with a full, accurate account of the circumstances in question.

Should an officer, after having complied with these notification requirements, decide at some later date to obtain counsel other than the attorneys from the University's General Counsel, he/she will immediately notify the Chief of Police, in writing, of his/her intentions to use private counsel. The Chief of Police shall forward such information to the General Counsel.

**5.14 Payment of Just Debts**

Members shall promptly pay all just debts and discharge all legal obligations and liabilities incurred by them. No supervisor shall become indebted to a subordinate.

**5.15 Public Utterances**

Members shall not publicly express an opinion, in their official capacity, on racial, religious, political, or other controversial subjects, and shall refrain from public discussion of the demerits of any law except if it is the expressed opinion of the Department.

**5.16 Immoral or Disorderly Conduct**

Members shall not conduct themselves in an immoral, indecent, lewd or disorderly manner, or in a manner that could be construed by an observer as such. Members shall not associate with any person or persons engaging or known to have engaged in criminal or immoral conduct.

### **5.17 Subversive Acts**

Members shall not perform any acts or make any statements, orally or written, for publication or otherwise, which tend to bring the Department, the University or its administrative officials into disrepute or ridicule, or which destructively criticize the Department, the University or its administrative officials in the performance of their official duties, or which tend to disrupt or impair the performance of official duties and obligations of officials of the Department or University which tend to interfere with or subvert the reasonable supervision or proper discipline of members of the Department and/or University.

### **5.18 Oppressive Conduct**

No member shall be guilty of oppression, favoritism, willful wrong or injustice.

### **5.19 Drinking on Duty / Intoxicating Substances**

Members shall not partake of an alcoholic beverage or any other intoxicating substances while on duty and no member shall become intoxicated to such an extent (while off duty) that the effects of intoxicants are detectible on their person.

When off duty, members shall not exercise any police authority while under the influence of an alcoholic beverage or other intoxicating substance.

For purpose of this section, the following definitions will apply:

- A.** Under the influence of intoxicating substances - any measurable concentration of alcohol or other intoxicating substance in a member's breath, blood or urine.
- B.** Off duty - those times when a member is not actually engaged in work scheduled and paid for by the University, overtime authorized by supervisors of this Department, on an approved extra-job or officially On-Call.

### **5.20 Alcoholic Beverages on Police Premises**

Members shall not bring into or keep intoxicating beverages in any police building or vehicle, except in the performance of their duty.

### **5.21 Entering Bars, Taverns, or Stores to Purchase Alcoholic Beverages**

Members on duty or in uniform shall not enter or visit any place, (i.e. bar, lodge, parlor, club or etc.) where alcoholic beverages are the primary product sold or served except in the line of duty. No member in uniform or on duty shall enter any store for the purpose of purchasing any alcoholic beverage.

**5.22 Playing Cards, “Games” or Pool on Duty**

Members in uniform, on or off- duty, shall not engage in any game of cards, billiards, pool, dominoes, checkers, video games, or other game in a public place.

**5.23 Sleeping on Duty**

Members are required to be alert throughout their tour of duty. Sleeping while on duty is forbidden. If a member is unable to remain awake, he/she shall so report to his supervisor, who shall determine the proper course of action. The supervisor shall immediately notify the Divisional Commander or On-Call Supervisor of any such incidents. Any act of “sleeping on duty” that readily jeopardizes the safety any police officer, or any deliberate, unauthorized act of “sleeping on duty” shall be reason for immediate termination of employment.

**5.24 Shopping on Duty**

Members shall not shop, barter, or trade while on duty or devote any of their on duty time to any activity other than that which relates directly to their work, unless specifically approved by the Chief of Police.

**5.25 Lounging or Resting against Property**

Members shall not give the appearance of loafing by unnecessarily leaning or lounging against any lamp post, building, elevator, car, wall, vehicle, ledge, or other projection which gives the perception of lounging, resting, or writing a citation.

**5.26 Socializing on Premises**

Members shall not socialize on police premises. Supervisors shall monitor such activity by members (on or off duty), and take appropriate disciplinary action to resolve the issue.

**5.27 Security of Police Information**

Members shall not communicate in any manner, directly or indirectly, any information which may delay arrest or enable persons guilty of criminal acts to escape arrest or punishment, provide a defense from prosecution or which may enable them to dispose of property or goods unlawfully obtained or dispose of evidence of unlawful activity. Information obtained by virtue of a position of employment with this Department or information available from criminal justice computer systems or resources shall not be provided to persons outside the Department in any manner other than that which is prescribed by law or procedure. Computerized information will be accessed for authorized police purposes only.

**5.28 Guarding Sources of Information**

Members shall not divulge to anyone, except as directed by competent authority, the identity of anyone giving information to the Department.

**5.29 Keeping Identity of Complainants Confidential**

Except as provided by law or as otherwise directed by competent authority, members shall not divulge to anyone the name or identity of any complainant, witness, or other person known to the Department.

**5.30 Use of Department Letterhead Stationary**

Departmental letterhead shall not be used for unapproved communications on behalf of the Department. A member may not use Departmental letterhead to gain personal preferential treatment and/or in personal correspondence.

**5.31 Department Badge, Logo, Emblem or Seal**

The Department badge, logo, emblem or seal may not be reproduced by any member of this Department without the consent of the Chief of Police.

**5.32 Use of Police Radio and Electronic Equipment**

The operation and use of the Police Department Radio System by members of the Department is restricted to authorized and official police business. All equipment issued by the Department or purchased privately is utilized under the exclusive control and authority of the Chief of Police. All State owned radio equipment issued to Department personnel, regular or reserve, shall not be altered, modified, or have options added to, without the consent of the Chief of Police.

- A. All equipment assigned on an individual basis shall be maintained in good working condition and returned for inspection on a routine basis and immediately upon termination.
- B. Any unauthorized use of the radio system, violation of established policies for system operation or abuse of equipment may be subject to termination of radio access. Personal conversation, vulgar and obscene language and/or unnecessary sounds will not be used nor permitted.

**5.33 Alteration or Modification of Police Vehicles**

No alteration or modification shall be performed on any State vehicle unless such alteration or modification is performed by an authorized vendor, and authorized by the Chief of Police.



**5.34 Alteration or Modification of All Other State Equipment**

No alteration, addition, deletion or modification shall be performed on any State equipment of any kind, including the disassembly or partial disassembly for cleaning or maintenance of the same unless approved and/or authorized by the Chief of Police.

**5.35 Exchange of Badge Prohibited**

The Texas Southern University Police Department badge shall not be altered, exchanged, or transferred except by order of the Chief of Police. Members shall not use another member's badge or official credentials without permission of the Chief of Police, nor shall they permit any person not appointed a member of the Department to use the official badge or credentials at any time.

**5.36 Loss of ID or Damage to Badge**

When a member's police badge and/or police identification card is lost, stolen or damaged, he/she shall immediately report the facts to the on-duty Patrol supervisor. The supervisor shall ensure that an incident report is completed and sent to the Chief of Police, by 8:00 am of the next day.

**5.37 Uniformity of Equipment**

Uniformed members shall not carry, nor wear any equipment or adornment on their uniform which does not conform to Department specification, unless approved in writing by the Chief of Police.

**5.38 Reading on Duty**

No member shall read a newspaper, book, or magazine on duty in view of the public unless such reading has been assigned by a supervisor.

**5.39 Expenditures or Calls for Service for Equipment**

No employee may authorize expenditures or calls for service on equipment without first obtaining approval from the member having supervisory authority over the equipment or area of responsibility.

**5.40 Consorting with Persons of Ill Repute**

Members shall not consort with or otherwise fraternize with known gamblers, prostitutes, drunkards, or other persons of bad character or ill repute, except to accomplish a police assignment or mission.

#### **5.41 False Report**

Members shall not knowingly make a false report, either oral or written during any official investigation relating to Departmental activities.

### **MEMBER DRESS CODE**

This directive prescribes the dress code that shall be observed by all personnel employed or commissioned by Texas Southern University Police Department, Officers and Civilian members. Each member shall be responsible to conform to the dress code that is applicable to his/her assignment and/or employee category.

#### **6.01 Personal Appearance**

##### **Grooming Standards**

The Department reserves the right to establish reasonable standards of appearance as a condition of employment. The “physical” appearance of all members is a basic component in the uniform, efficient functioning of any Department. Members shall maintain a degree of physical fitness that promotes a professional appearance, and allows for the physical activities associated with routine law enforcement conduct.

It is the intent of the Department to allow all members reasonable control over their personal appearance within the confines of a definitive uniform policy establishing standards of appearance relative to the accomplishment of departmental objectives.

These standards are established for these purposes and it will be the responsibility of a member’s immediate supervisor to determine whether or not that member is in compliance with these standards, but in each case, the member’s immediate supervisor will refer to and be guided by these regulations as stated.

All members will be guided by these standards.

### **UNIFORMED OFFICERS DRESS STANDARDS**

#### **6.02 All uniforms worn will be:**

- A. The regulation uniform as prescribed by the Department.
  1. Uniformed members within specialty units must wear the uniform as prescribed in the standard operation procedures (S.O.P.) for the specified unit.
  2. Only the department’s class “A” uniforms (long sleeves, uniform service hat and tie) shall be worn at official functions and/or funerals

unless otherwise specified by the Chief of Police or his designee.

3. When a class "A" uniform is not required, long sleeve or short sleeve shirts may be worn. Black turtlenecks with/or without "Police" monogram may be worn under the long sleeve shirt. The monogram shall be color coded according to the member's rank, "gold" for supervisors and "white" for officers. The wearing of a tie with the long sleeve shirt is optional when a class "A" uniform is not required.
- B. Clean and neatly pressed
  - C. Neatly tailored
  - D. Maintained in good repair
  - E. Gold metal accessories will be worn by commanders and supervisors/, silver metal accessories will be worn by officers.
  - F. T-shirts worn under uniform shirts with collar open (when not wearing turtlenecks) shall be black in color and in good condition. T-shirts that are white in color may be worn, providing they are of the "V-neck" design and no portion of the T-shirt is displayed.

#### **6.03 Footwear will be:**

- A. Clean and neatly polished
- B. In good repair
- C. Round toed boots or shoes that hold their form (black in color)
- D. No wing-tips or designs allowed
- E. No western style boots unless it is plain-toed (black in color)
- F. No tennis or recreational type boot or shoe allowed unless they are specifically designed for law enforcement use such as swat or tactical type boot or shoe (black in color).
- G. Lieutenants or above will make a determination if a specific footwear is permissible.

#### **6.04 Leather / Nylon Accessories**

All accessories will be black in color. Leather gear and/or accessories shall be of smooth, clarion design. It will be neat and maintained in good repair and working order. Nylon gear may only be worn with the Class B uniform. It will be clean and maintained in good repair without frayed or torn edges. Class "A" uniform dress requires all leather and accessories to be made of black, clarion leather. Officers unable to meet this requirement will not be considered for "Honor Guard" or ceremonial duties.

- A. Sam Brown (Clarino) or Nylon Belt
- B. Holster
  1. Mid or "Hi-Rise" version with thumb-break securing mechanism. Specifically designed to the caliber of weapon carried

- C. Keepers
  - 1. Two “double-snap” and two “single-snap”.
- D. Cuff Case, single or double
  - 1. Covered or “flap style” Not more than two may be worn.
- E. Knife Case
  - 1. Covered style
  - 2. Only one may be worn
- F. Ammo Pouch (Only one type may be worn)
  - 1. Only one 12-round holder may be worn for revolver, or
  - 2. One magazine case for automatics (may hold one or two clips)
  - 3. A two Speed-loader case
- G. Flashlight holder
  - 1. Only one may be worn
- H. Mini flashlight and Case
- I. Surgical glove pouch may be attached to belt (approximately 3”x4”).
- J. Pager/Cellular phone case may be worn.
- K. If certified to carry, an electronic control device (ECD) stun gun may be worn in holster on belt.
- L. If certified to carry, Oleoresin Capsicum Spray may be worn in holster on belt
- M. Expandable Baton (only) may be worn providing the officer has completed training and maintains certification as set by the Department.
- N. Mini recorder pouch.

#### **6.05 Uniform Service Hat**

The approved uniform hat may be worn at all times. The approved uniform service hat shall be worn at all official functions or when designated by the Chief of Police. Hats shall not be stored in cars. Care should be taken to preserve the condition of all hats. Uniform hats shall be adorned with the approved department “hat badge”. Hat and adornment items shall be color coded based on the member’s rank.

#### **6.06 Use of other type caps with uniform**

- A. Under no circumstances, unless approved by the Chief of Police, shall a baseball style cap be worn with the uniform while the “Officer” is on regular assignment with the Department.
- B. Baseball caps may be worn during the performance of assignments only when the job function consists of an approved type of activity. The approved “cap” shall be of the navy blue variety with the “POLICE” logo in white for “Officers” and gold for supervisors.
- C. Pile/Skull Caps may be worn during the performance of assignments only when the job function consists of an approved type activity conducted in inclement (cold) weather. This approved cap shall be of the navy blue variety with the Police logo of silver for Officers and Gold for supervisors.

### **6.07 Jackets**

Only the Department issued jackets may be worn, unless otherwise approved by the Chief of Police.

### **6.08 Rain gear**

- A. The department shall issue rain gear. Only department issued rain gear is approved for use, unless otherwise approved by the Chief of Police.
- B. Black rubber boots may be worn during inclement weather or when conditions necessitate.

### **6.09 Specialty Uniforms**

Member's/personnel assigned to a specialty division (i.e., Motorcycle, Canine, Mounted, Bike, DARE/GREAT and/or Training) shall follow the guidelines established in the Standard Operating Procedures (SOPs) for each specific divisions/units/sections relating to uniform wear or as otherwise approved by the Chief of Police.

### **6.10 Extraneous Equipment**

- A. The department issued name plate (with service bar) will be worn 1/16" above the right pocket flap with the uniform at all times.
- B. Members may wear no more than three (3) certifications pins (i.e. master patrolman, traffic investigator, etc.) above their name plate and no more than two (2) award designation or specialty pins or a combination thereof on the left breast pocket flap
- C. Members will wear department issued collar pins 1/4" above the bottom of the collar and 1 1/4" from the point of the collar.
- D. Only the department issued tie tack shall be worn.
- E. The department issued badge will be prominently displayed on the uniform.
- F. No excessive jewelry may be worn with uniform.
- G. Metal uniform accessories will be kept clean and polished at all times and shall be color coordinated.
- H. Sunglasses and watches, if worn, will be neutral in color and compatible with the uniform.
- I. Male members shall not wear earrings while on duty. Women shall wear only small stud type earrings if any. Absolutely no hoop or "dangling" earrings (of any size) shall be allowed.
- J. No facial piercings shall be allowed; i.e. nose, lips, tongue, eyebrow, etc.
- K. No "tattoos" shall be publicly visible while in uniform.

## **6.11 Hair Standards**

Hair will be neat, clean, trimmed and present a groomed appearance.

### **Male Personnel**

- A. Must not touch the collar in back
- B. Hair shall be an acceptable natural color.
- C. May be worn full on the sides, however, it may not extend over the top of the ear.
- D. Designs “cut” within the hair are prohibited.

### **Female Personnel**

- A. Hair shall be worn neat and in a style which is not extreme.
- B. Hair shall be an acceptable natural color that is not extreme.
- C. When in uniform, hair must not extend more than 2” past the bottom of the collar in the back nor past the earlobes in the front.
- D. Hair may be worn braided, or pulled back with a neutral color clip, not of extreme size.
- E. When hair is pulled back, it may not extend 2” past the bottom of the collar in back.
- F. When in uniform, bangs will not protrude from the dress cap in front.

## **6.12 Facial Hair**

The member’s facial area will be cleanly shaven except as permitted by this regulation.

- A. Sideburns may extend no lower than the lowest tip of the earlobe, will be of naturally even width and will end with a clean shaven horizontal line.
- B. Mustaches will be neatly trimmed to extend no more than ½” beyond the outer corners of the mouth.
- C. Beards and/or goatees are prohibited. Unless the member has demonstrated special circumstances or is on an assignment that requires the wearing of a beard or goatee.

## **6.13 Uniform While Under Suspension and/or Sick/Light Duty**

Members assigned to any uniformed division shall not wear the uniform while under suspension or while on sick leave of any nature, including Family Medical Leave (FMLA).

## **6.14 Uniform of the Day/ Class of Uniform**

The class of uniform to be worn (other than previously prescribed) shall be at the discretion of the member/officer reflecting climate and weather conditions.

### **6.15 Plain Clothes Personnel**

All civilian and all plain clothes police personnel of the Department will adhere to the same standards as established for uniformed officers. All clothing will be:

- A. Clean and neatly pressed
- B. Neatly tailored for fit
- C. In good taste
- D. In good repair
- E. Police equipment (gun, cuffs) worn at the waist may be visible during the work day provided that the officer's badge of office is prominently displayed on the officer's person.

### **6.16 Clerical/Communications Personnel**

All civilian members: Will, at all times present a professional, business-look image in public view while on-duty.

- A. Employee shall wear the civilian shirt with dress slacks or skirts unless otherwise approved by the Chief of Police.
- B. Employee may wear business attire that is normally accepted in a professional business setting as approved by the Chief of Police.
  - 1. WOMEN - Dresses with sleeves and/or jacket, dress slacks, blouses, skirts and business suits. Hose or knee-highs may be worn with your business attire.  
MEN - Dress slacks, collared dress/sports shirts, vests and belt with the optional addition of a sweater, jacket or sport coat, and pullover golf-style knit shirts.
- E. Footwear appropriate for the office work environment is required; examples of footwear that is not appropriate for the office include tennis shoes, thongs or beach shoes.
- F. Unacceptable business attire: Suggestive attire, jeans, docker style pants, athletic clothing, shorts, sandals, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. Body piercings and tattoos shall not be visible.
- G. Casual Day attire, which is designated by the Chief of Police, includes jeans, any color, knit/cotton outfits, docker style pants, capri pants with coordinating tops, tennis shoes, sandals (no flip flops, thongs or beach shoes).
- H. Unacceptable casual attire: Suggestive attire ripped or disheveled clothing, athletic wear, shorts, T-shirts or any item that has suggestive or an inappropriate logo, words or pictures on it.
- I. Communications and Security members shall wear the approved, issued department uniform for their appropriate division

### **6.17.1 Off-Duty Display of Badge and Gun**

A commissioned member's off-duty gun and his/her badge of office shall be concealed when in civilian clothes while off duty, except when traveling to or from work. Police Officers shall not be armed while partaking of alcoholic beverages.

## **PHYSICAL STANDARDS**

### **6.18 Fitness and Weight**

All members are encouraged to maintain themselves in such physical condition as to be able to handle strenuous physical activities, contacts or demands required of the law enforcement officer.

### **6.19 Physical Hygiene**

All officers, by frequent bathing, shall exercise good bodily hygiene and cleanliness. Fingernails will be clean and neatly trimmed so as not to prevent the efficient operation of police equipment. Female officer's facial make-up and/or coloring, when used, will be subdued and moderate in tones and application.

## **TELEPHONE COURTESY**

**7.01** All members shall be governed by the following policies in regard to the use of telephones in handling calls received by telephone.

### **7.02 Incoming Calls**

It should be expected that most incoming calls to the main number (713-313-7000) will be first answered by the Dispatch Office. Upon the transfer of the call or when answering the telephone direct, the following procedures shall be in effect:

- A. All phone calls are to be answered with the initial greeting "Texas Southern University Police Department" prior to including additional information such as name and division.
- B. Answer the telephone promptly in a courteous manner.
- C. Listen carefully to the question or complaint of the person calling, documenting important information and/or facts in writing.
- D. In situations where follow-up is to be conducted on the information received or a message needs to be passed along, get as much caller information as possible.
- E. When a call comes into the office for someone else and the party wanted is busy, politely ask caller to wait while you inform the person needed or take a detailed message. **DO NOT** "blindly" transfer the call to the third party.
- F. Speaker phones are to be utilized on conference calls only (excluding personal



offices).

### **7.03 Transferring Calls**

- A. Never transfer a call if you can be of service to the calling party.
- B. In many cases it may become necessary to have a call transferred to another person or division, after assuring that someone is present in that division. If such may be the case, be sure to explain to the calling person what you are going to do and why.

### **7.04 Telephone Courtesy**

In any well organized business it is difficult to over emphasize the importance of good telephone usage in contacts with the public. Voice is the chief means of projecting your personality over the telephone and often does more to make a favorable impression than what you say. Consequently, in addition to saying the proper things, you must say them in the proper way.

- A. Your voice carries meaning; supplements the words used. It even determines the precise meaning the words are to have. It reveals to a great degree the attitude of the speaker, making known whether you actually mean what you say, how interested you are, and what you want others to feel and do. The beliefs and ideas of a listener often are influenced by the quality of a speaker.
- B. A clear conversational voice is important. Good pronunciation and a well modulated tone are not only essential to accurate understanding, but also constitute a courteous compliment to the listener.
- C. In talking on the telephone, keep your voice low and speak directly into the mouthpiece in a natural, friendly, "at your service" tone of voice.
- D. Speak with a voice that expresses:
  - 1. Courtesy
  - 2. Cheerfulness
  - 3. Interest in the caller's request or complaint
  - 4. Willingness to serve

### **7.05 Long Distance Calls**

Members will make long distance calls on the Department line only. These calls will be for department business only. An authorization code numbers shall be used on all long distance calls. A monthly audit of calls made from within the department will be conducted at the directive of the Chief of Police. Misuse of this number may subject the member to disciplinary action, including but not limited to monetary reimbursement, and/or loss of an authorization code number.

### **7.06 Emergency Situations**

Only in extreme emergency situations is a member allowed to accept a collect

call. This call will be documented for by the member's immediate supervisor and the information sent to the department's Business Administrator.

**7.07 Directory Assistance**

Directory assistance will not be used through the department phone system unless all other means have been exhausted.

**7.08 Direct Lines to Appropriate Divisions**

Each division that has direct lines shall give out the appropriate number to that division for normal use during normal working hours.

**7.09 Faxing Long Distance**

Faxing may be made on long distance code for department business only.

**7.10 Return Calls**

All telephone messages received shall be promptly returned, depending on events of priority.

**SCHOOL/TRAINING REQUESTS**

**8.01 Purpose**

To establish a standard procedure for submission and approval of school/training requests.

**8.02 Submission of School Request**

Members shall fill out a school request prior to the date that the school begins and submit through chain of command. No members shall submit a request for training more that once each calendar year quarter.

**8.03 Department Funded Training**

Member shall complete the request and submit through chain of command along with complete information packet of training class and letter of intent to the Administrative Office. All requests for training and funding will be reviewed for approval.

All requests for funding must be submitted at least 60 days in advance to obtain approval and funding prior to attendance. Requests not submitted prior to 60 days of class may be approved, but funding may not be received until after attendance. In cases such as this, the person wishing to attend the class must provide funding.

**8.04 Outside Agencies Classes**

Classes held by other training academies, agencies, and/or private schools.

- A. It will be the employee's responsibility to make arrangements to attend schools or training held by other training academies, academics, agencies and or private entities after submitting school request and having it approved, unless otherwise approved by the Captain.

**8.05 Dress Code**

Members must be dressed appropriately. T-shirts, shorts, muscle shirts or other leisure type wear not associated with the school's training curriculum or business setting is prohibited.

**8.06 Proof of attendance to schools**

It will be the member's responsibility to furnish the Department's Training Coordinator with a certificate or roster from all schools/training so the department may have a record of the employee's attendance in the class.

**8.07 Share Training Materials**

You are expected to bring back to the Department the expertise you have gained in the schools/training you attend. Be prepared to:

- A. Share materials with the Department
- B. Instruct on the subject in which you have gained expertise (when appropriate).
- C. Develop operating procedures in area of expertise

**8.08 Field Training**

See FTO Manual.

**WORK SCHEDULING AND ATTENDANCE RECORDS**

**9.01 Duty Assignment**

The member's supervisor shall arrange assignment schedules of the members assigned to their respective division and/or shifts so as to provide for maximum services at all times, according to the needs of the department.

**9.02 Hours of Duty**

All members are subject to call out at all times, the member's regular tour of duty will be a shift of not less than eight working hours.

**9.03 Hours of Work**

**Work Day (shift):** Shall consist of at least eight hours during any one twenty four hour period.

**Work Week:** Shall consist of seven days, beginning at 12:00 A.M. on Sunday. Members will be scheduled to work for a minimum of forty regular hours of work during any single work week.

**9.05 Days Off**

Members working eight hour shift for five consecutive days during a seven day period, shall be afforded every opportunity to receive two consecutive days off. During times of emergency normal shift hours and days off may be suspended or altered at the discretion of the Chief of Police.

**9.05 Administrative Authority**

All members are subject to work overtime as needed by the department or called back to work while on off-duty hours or days off or other reasonable changes in hours of work, days off, or assignments. Required overtime may include "Special Event" assignments.

**9.06 Assigned Shifts**

All members shall be assigned to shifts (some may be irregular or rotating) while providing sufficient manpower to achieve maximum efficiency.

**ATTENDANCE RECORDS**

**9.07 Description**

A record of all members cataloging assignments, hours of work, hours not worked, regular days off, vacations, time taken off due to illness, and other categories of time worked or not worked will be submitted on a daily basis. All members shall submit the department's approved weekly payroll report through the chain of command, via their immediate supervisor.

**9.08 Attendance Records**

A. Officers shall submit an ARMS generated Daily Activity Report (DAR) to their supervisor at the end of each shift. The activity record shall be signed by the employee attesting to the accuracy of the information listed.

- B. Clerical Staff/Administrative Staff: An attendance record will be kept to accurately record attendance and submitted to their supervisor at the end of the pay period for approval. The employee shall sign the record attesting to its accuracy.
- C. Each Division Commander/Supervisor will be responsible to turn in attendance records when required; attesting to the accuracy of the information listed thereon and shall provide for administrative control on a daily basis.
- D. Failure to timely submit a DAR or attendance records may result in disciplinary action up to and including termination.
- E. Falsifying a DAR or attendance record may result in disciplinary action up to and including termination, and may result in criminal prosecution of the member.

**VACATION REQUESTS, COMPENSATORY TIME,  
AND ILLNESS**

This directive prescribes the methods by which all personnel employed by Texas Southern University Police Department, shall apply for vacation, compensatory and sick time. For all other time please refer to the University Policy and Procedure.

**10.01 Vacation Requests**

Vacation requests will be submitted on the approved leave request form.

- A. The member shall complete the leave form and submit it to their immediate supervisor for approval.
- B. The supervisor will then submit the request, if approved, to the payroll clerks with payroll records and shall correctly enter the vacation into the computer schedule program. The member's immediate supervisor shall return a copy of the approved or denied leave request form to the member within two (2) days of receiving the request.
- C. All Vacation requests shall be submitted at least ten (10) days prior to the requested off day to enable the Supervisor to schedule properly.
- D. An exception to subsection "C" shall be an emergency situation which does not fall within the given time frame for vacation request. These requests shall be considered emergency vacation time and each will be reviewed and approved on their own merit by the employee's immediate supervisor. No more than a one-day emergency vacation leave shall be approved by the immediate supervisor. Additional emergency vacation days must be approved by the Divisional Commander. No more than three consecutive emergency vacation days shall be approved, without approval of the Chief of Police.
- E. It will be the Division Supervisor's responsibility to insure that each employee's request for vacation is given every consideration so that all members shall have equal opportunity in scheduling their time. If a member feels he is not given proper consideration, an appeal may be made through the

chain of command. This appeal process will end at the position of the Captain.

- F. Any vacation schedule changes must be submitted and approved through the proper division commander and/or his/her designee.

#### **10.02 Compensatory Time**

- A. Any employee requesting to use compensatory time must do so by submitting the standard Leave Request form.
- B. The completed form will be submitted to the employee's immediate supervisor, no less than five days, nor more than thirty days prior to the requested date(s).
- C. The member's supervisor shall approve or deny the request within two (2) days of receiving the request, returning a copy to the member.
- D. The member's supervisor shall then forward the request through the chain of command.
- E. An exception to subsection "B" shall be an emergency situation which does not fall within the given time frame for compensatory request. These requests shall be considered emergency compensatory time and each will be reviewed and approved on their own merit by the employee's immediate supervisor.
- F. With supervisor approval, compensatory time requests will be submitted to the payroll clerks along with the payroll records for recording and filing, with all corrections to the schedule entered into the computer (by the approving supervisor).
- G. Compensatory time requests for more than ten (10) days must be approved by the member's divisional commander.
- H. All compensatory time earned and taken shall be in accordance with the Fair Labor Act.

#### **10.03 Sick Time**

- A. All members will notify the on-duty Patrol Division supervisor, no less than four (4) hours prior to the beginning of their assigned shift, of each and any day that they are unable to work due to illness. The on-duty Patrol Division supervisor shall (if possible) speak directly with the employee or a family member of the employee. The immediate supervisor is to expedite this contact. The Chief of Police may waive this daily notification after the member has been out ill for more than three (3) days, or if there is evidence that the illness will be lengthy from the on-set.
- B. The on-duty Patrol Division supervisor will complete the illness (leave) report and notify communications and all other applicable personnel of the member's illness.
- C. As per Texas Southern University Personnel Policies, members who use sick leave for 3 or more consecutive workdays or more than 24 consecutive work hours shall provide the department with a physician's statement indicating the onset and duration of the illness before the department will post the 4<sup>th</sup> day or

32<sup>nd</sup> hour as sick leave. If there is any indication that the request for sick leave may be FMLA qualifying, refer to Texas Southern University Personnel Regulation Section.

- D. Members returning to duty after 3 or more consecutive days of sick leave shall provide the department with a physician's statement indicating that the member is fit to return to full duty, with no restrictions. Unless the illness or injury is "job related" there is no obligation on the part of the department to provide the employee with a "light duty" job status.

#### **10.04 Employee Responsibility**

It is the responsibility of each individual member to keep track of their eligible leave time. This includes but is not limited to vacation, compensatory time, holiday time, sick time or any other time the employee may request off.

#### **10.05 Absent Without Leave**

A member absent without sufficient leave time will be docked. Appropriate disciplinary action up to and including termination may occur. Members accruing more than twenty-four (24) hours of "docked time" within a twelve (12) month period shall be terminated.

#### **10.06 Abuse of Leave**

Members chronically absent from work may receive appropriate, progressive disciplinary action. Employees found to show a "pattern" of absents shall received progressive disciplinary actions.

### **EXTRA JOB EMPLOYMENT**

#### **11.01 Purpose**

The purpose of this order is to set forth policy and procedure regarding those personnel desiring to engage in extra job employment, either in uniform or plain clothes. All department members, both commissioned and non-commissioned personnel shall be governed by the following extra job procedures applicable to their status.

#### **11.02 Definitions**

##### **Extra Job Employment – Commissioned Personnel**

An extra job should be defined as one that utilizes the individual's authority as a peace officer in order to conduct the job function.

### **Outside Employment**

Outside employment should be defined as any other job that does not utilize the individual's authority as a peace officer.

#### **11.03 Responsibilities**

- A. All personnel who desire to engage in extra job or outside employment must recognize that their primary duty, obligation and responsibility are to the University Police Department.
- B. All extra job employment must be approved, in writing by the Chief of Police prior to the member performing the extra job.
- C. Personnel are subject to duty call at any time for emergencies or special assignments; no extra job or outside employment shall infringe on this obligation.
- D. Department equipment shall not be used on extra or outside employment without the written consent of the Chief of Police.
- E. Personnel shall not become involved in any labor controversy of any kind in connection to extra job employment. In the event such a situation arises in an organization where an employee is engaged in extra job employment, the employee will immediately seek the advice of his immediate TSU-DPS vision superior on duty and be governed by his instructions. If a division superior is not on duty, the member shall be governed by the on-duty superior or the on-call superior .
- F. No member may work an extra job where the primary business is the sale of alcoholic beverages (i.e... bars, taverns, etc.). No member may work an extra job where alcoholic beverages are consumed on the premises unless two or more Officers are assigned to the premises simultaneously (i.e. banquet halls, parties, etc).
- G. Permission must be obtained for all extra jobs covered under this policy by the submission of an application for outside employment through the employee's immediate supervisor. Extra employment approval will be dependent upon circumstances and extra job restrictions, location and type of extra job involved the experience level of the employee and routine performance on their regular duty assignments.
- H. All extra jobs which require the officer to be in plain clothes and/or operate an unmarked vehicle must be approved by the Chief of Police or his/her Designee.
- I. All officers working an extra-job which requires patrol functions and/or traffic stops must be in full uniform and comply with Department Policy regulating the use of a marked patrol vehicle. **TSU-DPS uniforms used for extra jobs shall be obtained through the department at the officer's expense.**

#### **11.04 Restricted Locations**

- A. Where it appears from the employee's sick record, or other evidence, that extra job or outside employment may impair his/her health or ability to discharge



- departmental obligations, his/her extra job hours may be reduced or suspended. Further action may be taken pursuant to time and attendance.
- B. Where extra job or outside employment, or the place where it is performed, is such as to impair the employee's efficiency or capabilities as a member of the Department, or to interfere with his/her response to emergency call out.
  - C. Where extra job employment would involve the sale of intoxicating liquor, (i.e., clerk in liquor store, bartender, bouncer, etc.). Unless it first approved by the Chief of Police or his/her designee.
  - D. Where the extra job or outside employment involves the collection of debts, repossession of property, or the serving of any civil process. A member will not become involved in a civil dispute, nor by their presence leave the impression that the employer has the right to take action.
  - E. Where the extra job or outside employment involves the use of Departmental records or equipment unless authorized by the Chief of Police, Under no circumstances will any officer work any extra job or outside employment during his/her regular tour of duty. Example: "Checking by" on duty, "Keeping an eye on the place" or any other such actions are strictly prohibited while on regular duty.
  - F. Members shall not be permitted to work for any individual whose character might be considered questionable, nor at any establishment which consistently or frequently is found to be in violation of county, state law or the United States Constitution.
  - G. Members working extra jobs must enforce all laws, including county, state laws and the United States Constitution. No "House Rules" will be enforced.
    - 1. "House Rule" is defined as any rule which is to be enforced by the officer working extra employment which is not specifically authorized by county, state or federal laws.
    - 2. If duties involve acting in the capacity of "agent" or "representative" of the owner, officer must specify these duties in detail on his application for extra job.
  - I. Extra job employment is subject to the conditions and limitations stated in the employee's request or imposed by The Chief of Police or his designee.
  - J. Each member on an extra job will be paid individually by the employer. No member will contract with an employer to provide security services for a specified amount from which the member pays others.
  - K. No extra job or outside employment may be worked within a twenty-four (24) hour period from the start of the member's regular shift while off due to illness. Members out for four (4) or more days due to illness must provide a doctor's release and work a regular eight hour shift before they are eligible for extra-job or outside employment. No employee is eligible for extra-job or outside employment work while serving in a light duty capacity or on Family Medical Leave. Any/all exceptions must be authorized by the Chief of Police, in writing. Any employee violating this specific restriction is subject to immediate termination of employment.
  - L. "Extra job" employment that has been approved shall be maintained and retained by the Officer In Charge (OIC) of personnel records.

- M. A law enforcement instructing or teaching position is considered an extra job. An member seeking to fill an instructing/teaching position is required to complete an extra job form.
- N. At the termination of any permanent extra / outside employment job, it will be the employee's responsibility to notify their immediate supervisor in writing that the assignment has ended. The supervisor shall forward the information the Captain, via the chain of command. Failure to timely notify the Captain shall result in disciplinary action.
- O. No extra job shall be approved that requires a hold harmless clause to be signed.

#### **11.05 Performance**

It is the responsibility of the immediate supervisor to continuously review the performance of personnel who engage in extra job or outside employment. Violation of this order may result in disciplinary action being taken.

#### **11.06 Total Hours of Extra Jobs Allowed Per Week**

- A. In any seven (7) day period in which the officer performs forty (40) hours of regular duty, extra employment shall not exceed thirty-six (36) hours, except upon the written approval of the Chief of Police.
- B. An Officer that has been approved to work apartment security, but does not have a specific schedule, shall not exceed thirty (30) hours of extra employment per week.
- C. In any seven (7) day period in which the officer does not perform any hours of regular duty, extra employment shall not exceed sixty (60) hours, except upon written approval by the Chief of Police.
- D. Extra employment privileges may be terminated at any time by the employee's immediate supervisor or other commanding officer, in writing, when the employee is unable to perform satisfactorily on his regular duty assignment for the Department.

#### **11.07 Transporting of Prisoners**

Officers making an arrest in conjunction with an extra job or outside employment may be required to not only affect the arrest, but transport the prisoner (if practical), file the charges and complete the necessary paperwork. This shall not be construed to disallow an Officer from calling for assistance in a life threatening situation where assistance may be required to insure the safety of the Officer or the general public. Appropriate documentation of the incident is required to be submitted to the On-duty TSU-DPS Patrol Shift Commander, and to the Chief of Police or his/her designee within twenty-four (24) hours of the incident.

## **11.08 Additional Rules**

In addition to these rules, officers will be regulated by any other rules or regulations regarding extra job or outside employment which may be formulated by the respective division for which an officer may be assigned provided that any such additional rules or regulation shall not be in conflict with or provide exception to this policy.

### **FIRST REPORT OF INJURY**

#### **12.01 Purpose**

The purpose of this order is to establish clear and precise procedures for personnel in submitting reports of injuries received on duty.

#### **12.02 Definition**

Reportable Injury – An accident, illness or injury that occurs during the course and scope of employment.

#### **12.03 Procedures**

- A. To be eligible for Workers' Compensation benefits, employees must report any on-the-job accident, illness or injury to their immediate supervisor or designated officer in their department within twenty-four (24) hours of the occurrence. Failure to report an on-the-job accident, illness or injury in a timely manner may result in the loss of or denial of Workers' Compensation benefits.
- B. The "Employer's First Report of Injury or Illness" form will be completed and submitted to the Administrative Office prior to the end of the supervisor's shift. The Administrative Office will submit the completed form to Environmental Health and Safety within twenty-four (24) hours.
- C. If the injury is to such an extent that medical treatment is obtained from a doctor, the member will not be permitted to report back to duty until such time that a release certificate from the doctor is received by the appropriate supervisor. This release will then be forwarded to the Administrative office.
- D. When an member is released to return to work, information must be obtained to complete the "Supplemental Report of Injury" (to be completed by the Administrative office).
- E. Each subsequent absence that is a result of the initial incident will be supported through the use of the "Supplemental Report of Injury" (to be completed by the Administrative office).
- F. Requests for information pertaining to on-duty injury report requirements should be directed to the Administrative Office.

## APPEARANCE AS WITNESS IN COURT

### **13.01 Function**

Members shall be governed by the following policies in regard to their appearance, demeanor and testimony as a witness when subpoenaed by court to appear.

### **13.02 Duty to be Punctual**

Members will report to the designated court as subpoenaed at the proper time. Failure to appear may result in disciplinary action.

### **13.03 Priorities in Court Appearances**

Members shall to respond to all subpoenas as a first priority responsibility. Members shall be considered on duty when appearing in court. Members shall be in the department's uniform of the day when appearing in court, or in business dress for plain clothes members. Failure to appear as summoned for any court duty shall be considered an act of insubordination and disciplinary action shall be taken, unless otherwise directed by the Chief of Police.

- A. Should any superior officer give any conflicting order, the officer will respectfully advise the superior of the subpoena. All superior officers will adhere to the subpoena request. In case of an emergency, it will be the responsibility of the superior officer to notify the respective court immediately of this emergency. If the emergency is of such nature that the respective court instructs the presence of the officer, then the superior officer will adhere to this request and require the officer to respond to the subpoena.
- B. When an officer is subpoenaed to any Court and is or will be on vacation, compensatory time, special assignment or other approved absence on the court date, the officer will immediately make notification of the absence to the Court.
- C. When an officer receives subpoena to more than one court, all being equal courts, on the same date and time, he/she shall:
  1. Notify each court for which the subpoenas have been issued, advising each court of the conflicting subpoenas.
  2. Make a determination on the advice of each court as to which case will come to trial first and place himself/herself on standby in the remaining courts.
  3. Attend the court as mandated; remain on standby for the other courts.
  4. Appear in the remaining courts as soon as possible after release from the court for which the officer's attendance was first required.
- D. When an officer receives subpoenas to more than one court on the same date and time, one of them being a superior court, he shall:
  1. Respond to the superior court first.

2. Advise the lower court of his whereabouts.
  3. Appear in the lower court as soon as possible after release from superior court.
- E. If an officer is unable to appear in court due to unforeseen sickness or emergency, he/she shall:
1. Notify the prosecutor of the assigned court of the sickness or emergency, if the officer is unable to speak with the prosecutor, he/she will notify the clerk of said court.

#### **13.04 Prescribed Dress for Court Appearance**

When an officer appears in court, he should remember that as a public servant, he becomes a focal point of interest and observation by the members of the public also in attendance. This pertains to one or a number of officers in attendance.

- A. Members shall be attired in regulation uniform or if it is necessary for an officer to wear civilian clothes in court, he/she should wear the type and style dictated by local custom and in keeping with the respect and dignity due the court.
1. Male - A clean, neatly pressed suit with a tie or conservative sports coat and slacks combination with tie.
  2. Female - A clean, neatly pressed suit with coordinating shirt or blouse or appropriately styled conservative dress.

#### **13.05 Basic Policy Governing Testimony and General Conduct in the Courtroom**

At anytime a member is giving legal testimony, he/she is governed by the rules and regulations of this agency and shall at all times:

- A. Conduct themselves as professional and dignified persons at all times, prior to, during and after testifying.
- B. Tell the truth.
- C. Speak in a clear and loud enough voice for all to hear, especially the judge and/or jury (when applicable).
- D. Be respectful to all parties involved.

#### **13.06 Preparation**

Whenever members find it necessary to make an arrest for whatever reason, the deputy shall immediately read the arrestee his/her Miranda warning, logging the time and any witness and shall immediately begin their preparation for trial. In this regard, the following policy should be observed:

- A. Prior to the date for a member's appearance in court, he/she should review all notes, offense reports, video tapes, audio tapes and any other factual evidence and ensure that the officer is prepared with all necessary materials and

- properly organized for their court appearance.
- B. Whenever possible, review testimony with the prosecuting and/or county attorney of the case.

### **13.07 Certificate of Court Attendance**

A Texas Southern University Police Department Certificate of Court Attendance will be completed by the member when called to court on or off duty. It should then be submitted to the division supervisor by the next working day. This certificate must contain the signature of a court authority as well as a court seal.

## **RESIGNATIONS**

### **14.01 How Effected**

Any member may voluntarily withdraw from employment at any time by rendering his/her written resignation to the Chief of Police.

### **14.02 Who May Accept Resignations**

The Chief of Police and/or his designee are the only persons authorized to accept resignations. A resignation is not effective until accepted by The Chief of Police and/or his designee, and the resigning member has been duly informed.

### **14.03 How Submitted**

All resignations shall be submitted directly to The Chief of Police or through proper channels in memorandum form and should state the reason motivating the resignation.

### **14.04 Duty of Supervisory Officer**

The Officer In Charge (OIC) of personnel and equipment shall obtain the badge and identification card of the resigning member at the conclusion of his/her final working date or as otherwise directed by The Chief of Police and/or his designee. The OIC will obtain a list of issued university equipment from the Administrative office and advise the resigning and/or terminated member that such equipment must be turned into the Administrative office.

The OIC shall submit all badges and identification documents to the Chief of Police.

## **FIREARMS**

### **15.01 Firearms: Discharge During Performance of Duty**

On every occasion in which any officer of this Department discharges a firearm in the course of official duties (except range practice), the on duty supervisor will be notified immediately.

The officer involved in the discharge of a firearm shall complete a report regarding all factors surrounding the incident which shall be submitted to his/her division supervisor or to the on-duty patrol supervisor before ending duty. The report shall include all personnel involved, witnessing or having pertinent information regarding the incident.

Should the discharging officer be incapacitated by injury or unable to complete the report, the on duty Patrol supervisor shall submit the report on his/her behalf.

### **15.02 Discharge of Weapons in Other Jurisdictions**

Except for incidents arising out of “hot pursuit” cases and in cases where the Department acted alone, primary responsibility for investigation of officer involved shooting cases rests with the agency in whose jurisdiction the incident occurs in conjunction with this Department. The Harris County District Attorney’s Office shall be notified regarding all TSU-DPS officer involved shooting incidents.

### **15.03 Display of Firearms**

Upon no circumstance will a member of this Department publicly display his/her firearm except in those circumstances where he/she reasonably believes that he/she would be justified in using said weapon, or for official use, or for proper inspection by a superior officer.

### **15.04 Discharging Firearms**

Members are prohibited from discharging a firearm except where authorized by law and permitted by Departmental policy. All intentional discharges must fall within the guidelines prescribed by “Use of Force procedure” (of the Texas Southern University Police Department Standard Operations Procedures). All discharges, whether intentional or accidental, will be reported immediately and the discharging officer completes a discharge of firearms report.

### **15.05 Discharge of Firearms Board**

On every occasion of a discharge of firearms, a Discharge of Firearms Board shall be convened. The Board shall be convened to review the circumstances of the discharge.

The Board shall be appointed by the Chief of Police or his designee within five (5) working days following the circumstances of the discharge. The Board shall consist of five members and two alternate members to hear the matter. At least one member of the Board shall be a member of the department's firearms instructors unit. At least two members of the Board shall be civilian employees of the University. The Board shall review all available and pertinent evidence, witness interviews and statements from the discharge. The Board shall then provide a written report to the Chief of Police.

Selection for the Board and alternates will be made randomly. All ranks of regular classified, professional and administrative employees with one or more year(s) of service are eligible to serve on the Board as a civilian, with the exception of the following:

- (1) civilian employees from the division where the officer(s) involved in the discharge are employed;
- (2) the President and employees reporting directly to the President;
- (3) Vice presidents and employees reporting directly to a vice president;
- (4) General Counsel and employees serving on the staff of the General Counsel;
- (5) The Director of Human Resources as well as Department of Human Resources employees.

The prospective Board members and alternates will be notified as soon as the selections have been made. Prospective members and/or alternates of the Board will have five working days after receipt of the names to disqualify themselves from participation in any matter in which they feel it would be inappropriate to serve or in the event of a schedule conflict by written notice to the Chief of Police. In such case, the regular member will be replaced by the next alternate member by the Chief of Police.

All time spent by Board members and/or alternates in matters related to this policy will be treated as work time and employees are expected to be relieved of their normal duties to permit service on the Board as necessary.

The names of the members and alternates agreeing to serve on the Board will be furnished to the officer(s) involved in the discharge or their representative. The officer(s) involved in the discharge will have five working days after receipt of the names to request removal of not more than two (2) members of the prospective Board and/or alternates by written notice to the Chief of Police. The



officer(s) involved in the discharge may not contact prospective Board members prior to the formal convening of the Board.

Should the above procedures fail to seat a Board of five employees, the Board members seated will be retained and the process repeated until a full Board of five (5) is seated. The final list of members and alternates of the Board will be provided to the officer(s) involved in the firearm discharge, Chief of Police, Board members, and alternates.

The officer(s) involved in the discharge will have five (5) working days after receipt of the names of the members of the Board and alternates to provide in writing to the Chief of Police the name of any representative and the name(s) of any witnesses to be called.

After the Board is constituted and the hearing date scheduled, the Board will convene and hear the matter. If the officer is represented by legal counsel or any other representative, the University will be represented by the Office of General Counsel. The Board will select a moderator who will preside over the hearing. The hearing will be closed to the public at the request of either party or the Board.

The following individuals will be permitted to attend a closed hearing:

- (1) Discharge of Firearms Board members;
- (2) the officer(s) and a representative of the officer(s);
- (3) the officer's immediate supervisor or department head, and;
- (4) A representative of the Office of General Counsel (OGC). The representative of the OGC is permitted to attend the hearing whether or not the officer is represented by legal counsel, however, OGC will not act as a representative of the University unless the officer also has counsel present.

The hearing will consist of opening statements, if desired, by the officer and the institution or their representative, testimony by witnesses called by the officer and the institution with both parties and the Board having the right to question witnesses, and introduce relevant exhibits which either party seeks to present to the Board. The officer will have the responsibility of presenting relevant facts and circumstances to establish the lawfulness of the firearm discharge. Formal rules of evidence will not apply to the hearing. The proceeding will be non-adversarial in nature.

Either party may request in writing at least ten working days prior to the hearing that the presentation be tape recorded. Both officer and the University may obtain a copy of the tape at the expense of the University.

At the conclusion of the testimony, both parties will be permitted to make a closing statement. Following the hearing, the Board will retire to deliberate and

will submit a written report of its recommendations to the Chief of Police within five (5) working days following the conclusion of the Board hearing.

Within five working days following receipt of the recommendation of the Board, the Chief of Police will make a written response to the officer. The decision of the Chief of Police is final.

All time limits set forth in this policy may be extended once by each party with the mutual consent of the parties involved, and the approval of the Chief of Police.

#### **15.06 Availability of Weapons**

Commissioned members shall not place weapons or objects adaptable for use as weapons and capable of inflicting serious bodily injury or permit such weapons or objects to remain unattended, in any location or place where it may become accessible to a prisoner, suspect or the public.

#### **15.07 Warning Shots**

Members are prohibited from any discharge of a firearm as a warning.

#### **15.08 Carry of Approved Firearms/Ammunition**

- A. All Firearms shall meet the standard Bureau of Alcohol, Tobacco and Firearms regulations in order to possess or carry them in a departmental capacity.
- B. An approved handgun for on-duty use shall be of a .38 Special caliber or larger. (Uniformed personnel shall carry a 9MM caliber or larger)
- C. An approved handgun for off-duty use shall be of a caliber of .380 ACP or larger.
- D. An approved back up weapon shall be of no less than a .380 caliber.
- E. Commissioned members must meet minimum department proficiency qualification requirements before carrying any firearm.
- F. A firearm shall not be carried by an officer on light duty or when there is a physical or mental impairment that would interfere with its normal use.
- G. Commissioned members are prohibited from consuming alcoholic beverages or ingesting other intoxicants while armed on duty.
- H. All special purpose ammunition (example: Glaser safety slugs, etc.) is prohibited while on duty, unless approved by the Chief of Police.

#### **15.09 Carry of Shotguns**

Personnel may only carry an approved shotgun if they have been approved to do so by the training division after completing the Departmental Shotgun Qualification course. Prior to being approved and once a year thereafter, every

commissioned personnel approved to carry a shotgun shall qualify by attaining a minimum passing score as established by the department.

- A. Shotgun Type and Caliber - Only a semi-automatic or “pump” 12 gauge shotgun with a barrel length of at least 18" is approved. No drum magazines will be allowed.
- B. Ammo Type - Only 2 ¾” or 3” magnum, “00” Buck and/or slugs or bean bag rounds will be allowed.

## **15.10 Carry of Rifles**

Personnel may carry an approved rifle only if they are approved to do so by the training division after completing a Rifle Certification course approved by the department.

Prior to being certified and once a year thereafter, every commissioned personnel approved to carry a patrol rifle shall qualify by attaining a minimum passing score as established by the department. Changes in the rifle sighting system require re-certification.

- A. Rifle Type and Caliber - a semi-automatic rifle chambered for the following calibers shall be approved: 9mm, .40 caliber, .45 caliber and 223 Remington/5.56 NATO ammunition. The Chief of Police shall be the final approval on all rifles carried by commissioned members while on duty. A heads up display type aiming device, including but not limited to TASCOS ProPoint, AIMPOINT or Bushnell/Eotech EDS types, in addition to the iron sights are allowed. No magazine in excess of 30 round capacity will be allowed.
- B. Ammo Type - Only soft nosed or hollow point light jacketed bullets will be allowed for duty use. No full metal jacket ammo will be allowed for on-duty use. The ammunition with which an officer qualifies will be the ammunition the officer shall carry for on-duty use.
- C. Deployment of Patrol Rifles - Officers may respond and deploy with an approved Rifle in any special threat or high risk situation(s) where the suspect(s) possesses a rifle, assault rifle, fully automatic weapon, shotgun or body armor, or if the suspect employs measures that put any officer at a tactical disadvantage which cannot be overcome with a sidearm.

Some examples of special threats & high risk situations are, but not limited to:

1. Any situation involving a sniper
2. Barricaded suspect(s) with or without hostages
3. Terrorist activity
4. Active shooter(s), (Handguns, Rifle, Shotgun and etc...)

### **15.11 Cruiser ready condition and carry of the Rifle or Shotgun**

If the rifle or shotgun is carried in the passenger compartment of the patrol car, the weapon will be secured in a locking type rack which will be secured to the vehicle. If the rifle or shotgun is carried in the patrol car's trunk, the weapon will be secured in a hard or padded soft case with a trigger lock in place if not secured in a locking type rack in the trunk. While in the vehicle, the rifle or shotgun will be carried in the cruiser ready condition (empty chamber with loaded magazine).

### **15.12 Handgun Qualification**

- A. Commissioned personnel shall qualify at least once a year with a minimum passing score of 80% with all permitted handgun(s) carried.
- B. All qualifying course shall be as directed by the department's current firearms qualification manual.
- C. All commissioned personnel will be allowed a maximum of two attempts per designated qualification date to obtain a minimum passing score of 80%.
- D. All commissioned personnel will attend the designated qualification date, unless their Divisional Commander or above has granted approval of the absence and the Firearms Proficiency Officer and the Chief of Police has been notified. The designated qualification date will be published at least one month prior by the training division.
- E. The handgun and shotgun qualifications will be conducted concurrently with each other. Those that are excused shall attend the next qualification date.
- F. It is the responsibility of all commissioned personnel to maintain qualifications with the handgun(s) carried.
- G. The department Firearms Instructors shall have complete authority and control of the department qualifications and range. The chain of command shall be The Fire Arms Proficiency Officer, Chief of Police and Firearms Instructors.
- H. No handgun shall be carried or utilized by department personnel in their law enforcement capacity, unless approved; qualification has been met and officially recorded.
- I. The department qualification records will be maintained by the Training Division.

Commissioned members who fail to qualify within the calendar year are in violation of TCLEOSE Rules (section 217.21 "Firearms Proficiency Requirements" which governs as of June 1, 2004) and may be subject to a suspension or revocation of their TCLEOSE license resulting in forfeiture of his status as a peace officer. It should be noted that TCLEOSE makes no provision for medical or other "excused" absences. All commissioned

personnel are individually responsible for attending their designated qualification session.

All applicants must qualify with their handgun before being commissioned with this department. Commissioned personnel are allowed to qualify with a maximum of three handguns and two shotguns.

### **15.13 Failure to qualify and Remedial Handgun Session**

Failure to score a minimum of 80% within two qualification attempts per designated qualification date with a department approved duty weapon shall be treated as follows:

- A. The commissioned personnel will be required to attend and successfully complete a remedial handgun session conducted by this department within five (5) working days.
  - 1. The Commissioned personnel must successfully complete the remedial session with the same weapon, or
  - 2. If a different weapon or caliber is to be used, the commissioned personnel must provide the Firearms Proficiency Officer with a written statement that he (the Commissioned personnel) is no longer in possession of the original weapon or does not intend to use the original weapon for law enforcement purposes. A copy of such statement shall be furnished to the commissioned personnel's immediate supervisor. Ammunition for the remedial session will not be provided by the department.
- B. The remedial handgun session will consist of a classroom phase followed by a range phase.
- C. During the range phase the commissioned personnel will not be allowed more than two (2) attempts to achieve a minimum score of 80%.
- D. The Range Officer or his designee will notify the commissioned personnel's immediate supervisor and departmental command staff in writing if the personnel failed to qualify during the remedial handgun session.
- E. In the event the commissioned personnel fails to successfully complete the remedial handgun session, the Chief of Police shall determine what further actions shall be taken based on the information received from the range personnel and the circumstances of the employee involved.

### **15.14 Handgun Inspection**

Prior to qualification, Firearms Instructors will inspect all handgun(s) to determine condition and compliance with department policy. Firearms Instructors have the authority to prohibit the use of any handgun on the range. If a handgun is not allowed to be used on the range, the Captain is to be notified in writing of the circumstances, including a description of the handgun and all pertinent information relating to same. The commissioned personnel shall not

carry such handgun until any deficiencies or discrepancies are corrected and the handgun has been re-inspected and approved by the Firearms Instructors.

**15.15 Proficiency Demonstration for the Care and Cleaning of Handgun**

After a commissioned member has successfully qualified, the individual shall demonstrate to the Firearms Instructors his ability to field strip (including magazines), clean and reassemble his handgun and magazines.

**15.16 Range Clothing and Equipment**

All commissioned personnel qualifying shall wear the same holster or duty rig they normally wear for their duty assignment. Firearms Instructors, for ready visibility, shall be the only personnel allowed to wear red shirts on the range.

**15.17 Carrying of Automatic Firearms**

No commissioned member shall be permitted to carry a full automatic weapon on duty, unless approved (in writing) by the Chief of Police, and the member has received specialized training.

**15.18 Firearm Maintenance**

All firearms shall be maintained in a clean working order. Any commissioned member found with a firearm not in working order shall have the firearm removed from service until repaired and re-inspected by a Firearms Proficiency Officer or a Firearms Instructor.

**ARRESTS AND PRISONERS**

**16.01 Necessary Force in Making Arrests**

Members, when making an arrest, shall not use more force than necessary in making the arrest or in dealing with a prisoner or any person. Members shall not subject a person to more restraint than is reasonably necessary for his/her arrest and/or detention and for the safety and protection of the arresting officer.

**16.02 Treatment of Suspects and Prisoners**

Prisoners and/or suspects shall be treated in a fair and humane manner. They shall not be humiliated, ridiculed, taunted or embarrassed. Members shall not strike or use any other forms of physical force on a prisoner except when reasonably necessary. Instances where force may be reasonably necessary may include but are not limited to; preventing an escape, self-defense, to prevent violence to another person or to prevent a self inflicted injury by the suspect and/or prisoner.

### **16.03 Safeguarding Prisoners**

Members shall be responsible for the safe custody of a prisoner until the prisoner is released to the booking officer, he/she is released by a court or he/she is transferred to the custody of another city, county, state or federal representative having legal authority to accept custody. All officers having prisoners in custody for any offense will maintain custody of their prisoner from the time of arrest until the subject is remanded to the custody of the Harris County Jail and/or released by the court. At no time will handcuffs be removed from any prisoner while in custody, unless for reason of medical or age infirmity or they are placed in the holding cell. In certain instances where the officer is required to be absent from their prisoner, they may transfer physical custody to another specified officer; however, responsibility for the security and/or welfare of the prisoner will remain with the arresting officer. The prisoner, if placed in the holding cell, must be electronically monitored at all times for health and security purposes by the arresting officer or the arresting officer may transfer monitoring responsibilities to another specified Department member if the officer is required to be absent from a monitoring area.

### **16.04 Handcuffing Prisoners**

All adult prisoners will be handcuffed behind their back, except in cases where an injury or physical condition prohibits or a transport belt is utilized. Juvenile prisoners shall not be handcuffed unless they exhibit violent behavior or the law otherwise specifies. Handcuffs shall be checked to insure that they are not too tight and must be double locked.

### **16.05 Search of Prisoners for Weapons**

When making an arrest, officers shall handcuff the prisoner and search the prisoner carefully. He/she shall immediately take possession of all weapons and / or evidence. If for any reason a prisoner has not been searched before being turned over to other officers, the arresting officer shall without fail notify the officer receiving the prisoner. If any prisoner is released to another officer for the purpose of transport, the transporting officer shall search the prisoner regardless of any previous search conducted prior to the transport.

### **16.06 Handling Prisoners of the Opposite Sex**

Prisoner(s) and/or suspect(s) of the opposite sex of the arresting officer shall be handled only as is necessary to take them into custody and determine that weapons and/or illegal contraband are not being concealed. Officers arresting a suspect of the opposite sex shall utilize the services of an officer of the same sex as the suspect to assist in processing those prisoner(s) and/or suspect(s) whenever possible.

### **16.07 Search of Female Prisoners**

Women and girls who are in the custody or under the care of the Department, should only be searched by male officers at a scene to determine possible possession of a weapon, unless an immediate search under one of the following conditions appears to be necessary and there is no female officer available at that time and place:

- A. When there is a good reason to believe that the person has in her possession a poison, drug, gun or other like means of causing death or injury to herself or to another.
- B. When there is a good reason to believe that stolen property is hidden about the prisoner and there is imminent danger that it may be thrown away or destroyed.

Searches in such emergencies should be made with all possible regard for decency under the direction of a ranking officer.

### **16.08 Vehicle Inspections**

Each time a prisoner is to be transported, the vehicle shall be inspected to ensure that no weapons or contraband are present, prior to transporting the prisoner. Once a prisoner has been removed from the vehicle a thorough search shall be conducted as soon as practical but, in all case, before the vehicle is reused.

### **16.09 Transporting of Prisoners**

Whenever a prisoner (male, female or juvenile) is to be transported in a police vehicle, the officer in charge of the police unit shall notify the radio dispatcher by radio. The officer shall use the phrase; in transit, “from” (the location of departure), “to” (the location of the destination), the prisoner's arrest status as well as any special problems (belligerent, mentally incompetent, etc.) will be noted and give the beginning mileage. The dispatcher shall acknowledge and provide a time check. Upon arrival at the given destination the officer shall advise the dispatcher by radio using the phrase; arrived at (the location of destination) with prisoner (designate male, female or juvenile) and the ending mileage. The dispatcher shall again acknowledge and provide a time check. The most direct route from the location of departure to the destination will be taken. During the transportation of a prisoner no diversions or stops shall be made. No prisoner shall be allowed to communicate with any party other than the transporting officer.

- A. No prisoner shall be transported for investigative purposes without the express consent of the supervisor and a well defined operations plan which:
  - 1. May include approval of the appropriate District Attorney's Office representative or prosecutor handling the case.



2. Shall include notification of the ranking supervisor and review of the case.
  3. Shall include transportation by a minimum of two officers in a standard patrol vehicle with appropriately installed prisoner restraint devices and cage.
  4. Shall include a time line for use of a prisoner. The time line shall not exceed six (6) hours for a juvenile.
  5. Shall include use of radio notification of locations, times, and mileage.
- B. No arrangements or “deals” will be made with suspects, without the express consent and/or participation of the District Attorney’s Office during the investigative process.

**16.10 Availability of Weapons**

Members shall not place weapons or objects adaptable for use as weapons and capable of inflicting serious bodily injury where they may be accessible to a prisoner and or suspect. Members shall not permit such weapons or objects to remain unattended unless they are secured in a locked area not accessible to a prisoner and/or suspect.

**16.11 Safeguarding Property**

Members shall be responsible for safely guarding such personal property as a prisoner may have in his possession or under his control at the time of arrest or detention.

**16.12 Traffic Arrests, Officer Not In Uniform**

Members not in uniform or not in marked cars shall not arrest traffic violators on sight except when the violation is constitutes serious danger to the public, including but not limited to; driving while intoxicated or felony failure to stop and render aid. This should be done only if a marked unit is not readily available. The reasonableness of the decision to stop/arrest when not in uniform/marked unit will be decided by the on-duty Patrol Supervisor. Any action to be taken will be completed by an on-duty unit (citation, arrest, etc.). In making the decision to take official action, the officer shall take into consideration whether he/she is in uniform in the unmarked car and other factors including risk to the public and the officer’s safety.

**16.13 Arrests in Personal Quarrels**

Commissioned members shall not make arrests resulting from their own personal quarrels or those of their families except under grave circumstances such as would justify the member using measures of self defense.

#### **16.14 Sick or Injured Prisoner**

- A. At time of arrest, the prisoner will be checked by EMS service. If hospital treatment is determined to be needed, the prisoner will be transported to a hospital by E.M.S.. When the prisoner is released he/she will be transported to Harris County Jail. If the prisoner becomes ill during transport, the officer shall contact the receiving agency
- B. If a prisoner claims injury and is transported to a hospital, it will be the responsibility of the arresting officer to see that proper charges are filed and a "To-Be Warrant" obtained. If the offense is a felony, the prisoner will remain in custody of the arresting officer until such time he/she is released from the hospital or remanded to the custody of the Sheriff's Department unless otherwise directed by the on-duty Patrol supervisor.

#### **16.15 Adult Prisoners**

All adult prisoners shall be detained in the holdover cell area. All adult prisoner processing shall be conducted in a designated secure area or at the Sheriff's Department jail facilities.

The ranking on-duty supervisor may make exceptions to this policy as necessary to handle unforeseen situations. Under no circumstances are adult prisoners to be processed within the same area as juvenile prisoners.

#### **16.16 Juvenile Prisoners**

All juvenile prisoners shall be detained and processed in an approved juvenile processing room only. All state and county procedures are to be followed regarding the detention and processing of juvenile prisoners. No juvenile prisoners shall be detained or processed in a non-approved facility or in the presence of adult prisoners.

### **USE OF EMERGENCY EQUIPMENT**

#### **17.01 Purpose of Using Emergency Equipment**

The decision to use emergency equipment shall be made only after weighing all consequences which could be expected or anticipated to result from such actions. Conditions of weather, traffic flow, time of day or night and geographical area shall be analyzed. The importance and significance of the apprehension compared with the hazards involved shall be thoroughly considered.

Even though the officer is legally engaged in pursuit, he/she is not relieved of his/her duty to drive with due regard for the safety of all persons, nor is he/she protected from the consequences of any reckless disregard for the safety of others. The officer's ability to supervise or control other motorists by the nature of

existing circumstances is limited and it is his/her duty to avoid contributing to the danger already created by the violating motorists.

The following is a list, but not limited to, of some common calls that might be considered for emergency traffic:

- A. Assist an endangered officer
- B. Felonious crime in progress
- C. Major Accident
- D. Pursuit of a fleeing vehicle
- E. Any assignment where immediate threat to life or serious bodily injury exist.

### **17.02 Procedure**

When a decision to utilize emergency equipment for the purpose of pursuits or answering calls has been made, the dispatcher shall be immediately notified and all available emergency equipment employed. The Member must be aware that he/she shall be held accountable for any carelessness or incidents that may result from his/her actions.

- A. A vehicle pursuit shall be abandoned when the hazard becomes too high, exposing the officer, the violator, or the public to unwarranted risks or when conditions clearly indicate the futility of further pursuit.
- B. Departmental vehicles shall not be used for forcing a pursued vehicle off the roadway or engaged in other techniques which unduly raise the risk of collision (i.e. “road blocks”, “P.I.T.” tactics and etc.).
- C. Emergency equipment for the purpose of emergency escorts shall not be utilized without prior approval from a supervisor.
- D. Departmental personnel will not employ emergency equipment when non law enforcement personnel (prisoners, citizens, etc) are aboard the moving vehicle. This section excludes persons on authorized “ride-along” activities.
- E. In the event of an incident resulting from the use of emergency equipment, the on duty Patrol supervisor shall investigate the circumstances and notify the Chief of Police, via the normal chain of command. The on duty Patrol supervisor shall complete a written report and forwarded it to the Chief of Police, via the normal chain of command, prior to the end of the supervisor’s shift.

### **17.03 State Law for Operation of Authorized Emergency Vehicles**

All department vehicles meeting the requirements of an emergency vehicle shall be subject to the conditions as stated in Chapter 546 of the Texas Transportation Code “Operation of Authorized Emergency Vehicles” relating to traffic on highways. Only TSU-DPS commissioned members shall operate a department vehicle under emergency response conditions.

The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor does such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others.’

## **ACCIDENT REVIEW BOARD**

### **18.01 ACCIDENT REVIEW BOARD**

On occasion of any vehicular accident involving a TSU DPS officer or TSU DPS property, involving injury to any person or damage exceeding \$2,000 an Accident Review Board (“Board”) shall be convened. The Board shall be convened to review the circumstances of the accident.

The Board shall be appointed by the Chief of Police within five working days following the circumstances of the accident. The Captain shall chair the Board. The Board shall consist of five members and two (2) alternate members to hear the matter. During the absence of the Captain, the Chief of Police shall appoint a temporary chair. At least two members of the Board shall be civilian employees of the University. The Board shall review all available and pertinent evidence, witness interviews and statements from the accident. The Board shall then provide a written report to the Chief of Police within three (3) days of the closing of the Board.

Selection for the Board and alternates will be made randomly. All ranks of regular classified, professional and administrative employees with one or more year(s) of service are eligible to serve on the Board as a civilian, with the exception of the following:

- (1) civilian employees from the department where the officer(s) involved in the discharge are employed;
- (2) the President and employees reporting directly to the President;
- (3) Vice presidents and employees reporting directly to a vice president;
- (4) General Counsel and employees serving on the staff of the general counsel;
- (5) The Director of Human Resources as well as Department of Human Resources employees.

The prospective Board members and alternates will be notified as soon as the selections have been made. Prospective members and/or alternates of the Board will have five (5) working days after receipt of the names to disqualify themselves from participation in any matter in which they feel it would be inappropriate to serve or in the event of a schedule conflict by written notice to the Chief. In such

case, the regular member will be replaced by the next alternate member by the Chief.

All time spent by Board members and/or alternates in matters related to this policy will be treated as work time and employees are expected to be relieved of their normal duties to permit service on the Board as necessary.

The names of the members and alternates agreeing to serve on the Board will be furnished to the officer(s) involved in the accident or their representative. The officer(s) involved in the accident will have five (5) working days after receipt of the names to request removal of not more than two members of the prospective Board and/or alternates by written notice to the Chief. The officer(s) involved in the accident may not contact prospective Board members prior to the formal convening of the Board.

Should the above procedures fail to seat a Board of five (5) people, the Board members seated will be retained and the process repeated until a full Board of five employees is seated. The final list of members and alternates of the Board will be provided to the officer(s) involved in the vehicular accident, the Chief of Police, the Board members, and the alternates.

The officer(s) involved in the accident will have five (5) working days after receipt of the names of the members of the Board and alternates to provide in writing to the Chief the name of any representative and the name(s) of any witnesses to be called.

After the Board is constituted and the hearing date scheduled, the Board will convene and hear the matter. If the officer is represented by legal counsel or any other representative, the University may be represented by the Office of General Counsel. The Chair shall act as the moderator and will preside over the hearing. The hearing will be closed to the public at the request of either party or the Board.

The following individuals will be permitted to attend a closed hearing:

- (1) Accident Review Board members;
- (2) the officer(s) and a representative of the officer(s);
- (3) the officer's immediate supervisor or department/division commander, and;
- (4) a representative of the Office of General Counsel. The representative of the OGC is permitted to attend the hearing whether or not the officer is represented by legal counsel, however, OGC will not act as a representative of the University unless the officer also has counsel present.

The hearing will consist of opening statements, if desired, by the officer and the institution or their representative, testimony by witnesses called by the officer and the institution with both parties and the Board having the right to question

witnesses, and introduce relevant exhibits which either party seeks to present to the Board. The officer will have the responsibility of presenting relevant facts and circumstances surrounding the accident to establish fault. Formal rules of evidence will not apply to the hearing. The proceeding will be non-adversarial in nature.

The proceedings shall be tape recorded. Both officer and the University may obtain a copy of the tape at the expense of the University.

At the conclusion of the testimony, both parties will be permitted to make a closing statement. Following the hearing, the Board will retire to deliberate and will submit a written report of its recommendations to the Chief within three (3) working days following the conclusion of the Board hearing.

Within five working days following receipt of the recommendation of the Board, the Chief will make a written response to the officer. The decision of the Chief is final.

All time limits set forth in this policy may be extended once by each party with the mutual consent of the parties involved.

## **USE OF FORCE**

### **19.01 Purpose**

The purpose of this policy is to clarify departmental policy regarding the use of force and deadly force so that all officers of the Texas Southern University Department of Public Safety, will fully understand what is expected or required of them regarding the use of force and deadly force in the performance of their duties.

### **19.02 Use of Force**

A peace officer, or a person acting under the direction of a peace officer is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to make, or assist in making an arrest or search, or to prevent or assist in preventing escape after arrest, if:

1. The peace officer (member) reasonably believes the arrest or search is lawful or, if the arrest or search is made under a warrant he/she reasonably believes is valid; and
2. Before using force, the peace officer (member) manifests his purpose to arrest or search and identifies himself as a peace officer or as one acting at a peace officer's direction, unless he reasonably believes his purpose and identity is already known by or cannot reasonably be made known to the person to be arrested.

### **19.03 Use of Less than Lethal Force**

#### **A. Impact Munitions**

1. .12 gauge shotgun pellet type.
2. The officer (member) shall be duly qualified in the use of the shotgun.

#### **B. Oleoresin Capsicum Spray (OC)**

1. Qualifications - All personnel shall be required to qualify with OLEORESIN CAPSICUM SPRAY (O.C.), prior to carrying or utilizing O.C. Spray, by attending a Department approved training course.

The course shall be TCLEOSE approved and meet the following requirements:

- a. Minimum of 8 hours training;
- b. Cover liability issues;
- c. Proper application methods;
- d. Proper first aid for exposed person(s); and
- e. Personnel shall be exposed to the effects of O.C.

#### **2. Authorized Equipment**

##### **O.C. Spray**

- a. Shall contain a 5% to 10% concentration of Oleoresin capsicum;
- b. Shall be capable of delivering 2 million individual Scoville heat units;
- c. Shall be dispensed by a fog or cone applicator; and
- d. Canister shall have two (2) to four (4) ounce capacity and carried in an appropriate belt holster.

#### **3. Utilization**

O.C. may be utilized by an officer when making a lawful arrest, but is not limited to the following:

- a. In the defense of his/her person or the defense of a third person, when and to the degree that force is justified, but not deadly force;
- b. When a subject taken into custody actively resists arrest or detention by physical force; or
- c. When at the direction of an on-duty supervisor, to disperse a crowd (Riot situation).

#### **A. Expandable Baton**

All commissioned members shall be required to attend an approved expandable baton training program prior to carrying or utilization of any expandable baton.

1. Any TCLEOSE approved training program will be a minimum of eight (8)

hours training.

2. Utilization

The expandable baton may be used by an officer when making a lawful arrest, but not limited to the following:

- a. In defense of his/her person or the defense of a third person, when the use of an intermediate defensive weapon is justified.
- b. There are principle target areas on the body where the expandable baton can be deployed:
  - i. "Open" deployment strike target areas, elbow, knee and abdomen.
  - ii. "Closed" deployment strike target areas, the same as open strike areas with the addition of the torso.
  - iii. Strikes to the primary target areas (knees, abdomen and elbows) have a high potential for control and low potential for serious injury.
  - iv. Targeting the face, head or neck is prohibited. Strikes to these areas may produce injuries which could prove to be serious and/or fatal, yet may not effectively terminating assailant resistance.
- c. Reporting of incident of expandable baton deployment.
  - i. All incidents of expandable baton deployment shall be documented in an offense report.
  - ii. All incidents of expandable baton deployment shall be documented on the departmental "Use of Force Form".

**19.04 Use of Deadly Force**

- A. It shall be the policy of the Texas Southern University Department of Public Safety, to authorize a commissioned member (peace officer) of this Department to use deadly force in accordance with the Texas Penal Code, when:
  1. The officer reasonably believes that the officer's life or another is in jeopardy and that deadly force is immediately necessary to preserve life; or
  2. The officer reasonably believes that the conduct authorizing the arrest included the use or attempted use of deadly force. The officer must reasonably believe that there is a substantial risk of death or serious bodily injury at the hand of the person sought to be arrested if the arrest is delayed.
  3. Once the immediate danger of death or serious bodily injury to an officer or another person has passed, deadly force shall not be used.
  4. To prevent the roaming at large by obviously mad or vicious animals.
  5. With supervisor approval, to relieve animals so badly injured that they cannot reasonably survive from injuries, causing prolonged suffering.
- B. The use of deadly force will not be permitted under the following circumstances:
  1. An officer may not discharge a weapon as a warning at any time.



2. An officer may not discharge a weapon at a moving or fleeing vehicle unless the officer reasonably believes that the officer or some other person is in immediate danger of death or serious bodily injury.
3. An officer may not discharge a weapon from a moving vehicle unless the officer reasonably believes that the officer or another is in immediate danger of death or serious bodily injury;
4. An officer may not use deadly force on a misdemeanor when that is the only offense known to the officer, unless the officer reasonably believes that the officer or another is in immediate danger or death or serious bodily injury.

#### **19.05 Use of Force Review Board**

On any occasion of an officer involved in use of force, the Chief of Police may direct the implementation a Use of Force Review Board (“Board”). The Captain shall chair the Board. The Board shall be convened to review the circumstances surrounding the use of force.

The Board should be appointed by the Chief within five (5) working days following the circumstances of the use of force. The Board shall consist of five (5) members and two (2) alternate members to hear the matter. At least one (1) member of the Board shall be either a firearms proficiency officer or a self-defense instructor or a police tactics officer. At least two (2) members of the Board shall be civilian employees of the University. The Board shall review all available and pertinent evidence, witness interviews and statements from the use of force. The Board shall then provide a written report to the Chief of Police.

Selection for the Board and alternates will be made randomly. All ranks of regular classified, professional and administrative employees with one or more year(s) of service are eligible to serve on the Board as a civilian, with the exception of the following:

- (1) civilian employees from the department where the officer(s) involved in the discharge are employed;
- (2) the President and employees reporting directly to the President;
- (3) Vice presidents and employees reporting directly to a vice president;
- (4) General Counsel and employees serving on the staff of the general counsel;
- (5) The Director of Human Resources as well as Department of Human Resources employees.

The prospective Board members and alternates will be notified as soon as the selections have been made. Prospective members and/or alternates of the Board will have five working days after receipt of the names to disqualify themselves from participation in any matter in which they feel it would be inappropriate to

serve or in the event of a schedule conflict by written notice to the Chief. In such case, the regular member will be replaced by the next alternate member by the Chief.

All time spent by Board members and/or alternates in matters related to this policy will be treated as work time and employees are expected to be relieved of their normal duties to permit service on the Board as necessary.

The names of the members and alternates agreeing to serve on the Board will be furnished to the officer(s) involved in the use of force or their representative. The officer(s) involved in the use of force will have five (5) working days after receipt of the names to request removal of not more than two (2) members of the prospective Board and/or alternates by written notice to the Chief. The officer(s) involved in the use of force may not contact prospective Board members prior to the formal convening of the Board.

Should the above procedures fail to seat a Board of five (5) people, the Board members seated will be retained and the process repeated until a full Board of five (5) people are seated. The final list of members and alternates of the Board will be provided to the officer(s) involved in the use of force, Chief, Board members, and alternates.

The officer(s) involved in the use of force will have five (5) working days after receipt of the names of the members of the Board and alternates to provide in writing to the Chief the name of any representative and the name(s) of any witnesses to be called.

After the Board is constituted and the hearing date scheduled, the Board will convene and hear the matter. If the officer is represented by legal counsel or any other representative, the University will be represented by the Office of General Counsel. The Board will select a moderator who will preside over the hearing. The hearing will be closed to the public at the request of either party or the Board.

The following individuals will be permitted to attend a closed hearing:

- (1) Use of Force Review Board members;
- (2) the officer(s) and a representative of the officer(s);
- (3) the officer's immediate supervisor or department head, and;
- (4) A representative of the Office of General Counsel. The representative of the OGC is permitted to attend the hearing whether or not the officer is represented by legal counsel, however, OGC will not act as a representative of the University unless the officer also has counsel present.

The hearing will consist of opening statements, if desired, by the officer and the institution or their representative, testimony by witnesses called by the

officer and the institution with both parties and the Board having the right to question witnesses, and introduce relevant exhibits which either party seeks to present to the Board. The officer will have the responsibility of presenting relevant facts and circumstances surrounding the use of force to establish that the use of force was lawful and in compliance with policy. Formal rules of evidence will not apply to the hearing. The proceeding will be non-adversarial in nature.

The proceeding shall be tape recorded. Both officer and the University may obtain a copy of the tape at the expense of the University.

At the conclusion of the testimony, both parties will be permitted to make a closing statement. Following the hearing, the Board will retire to deliberate and will submit a written report of its recommendations to the Chief within three (3) working days following the conclusion of the Board hearing.

Within five (5) working days following receipt of the recommendation of the Board, the Chief will make a written response to the officer. The decision of the Chief is final.

All time limits set forth in this policy may be extended once by each party with the mutual consent of the parties involved and approved by the Chief of Police.

## **FRESH PURSUIT**

### **20.01 General**

Successful pursuit and apprehension of moving vehicles is a difficult task. Some violators obey the red lights and sirens and stop, while others attempt to evade arrest at any cost, seemingly with no regard for the consequences.

There is no evidence to support a theory that a person who flees from the police and refuses to yield is necessarily a felon. It is factual, however, that lives have been lost, including those of police officers in attempting to apprehend violators. The Department desires that violators be apprehended whenever it is feasible under the existing conditions.

### **20.02 Definitions**

- A. Pursuit Driving – Pursuit driving is the pursuit and apprehension of a traffic violator or felony suspect in a moving motor vehicle.
1. Pursuit driving is classified as hazardous driving. It requires the pursuit of all types of drivers under varies climatic and road surface conditions.
  2. Pursuit driving should always be governed by common sense and

concern for accidents when chances are taken. Self preservation and consideration of the safety of innocent persons is a necessary element in the pursuit situation.

- B. Primary Unit-The initial pursuing police vehicle
- C. Secondary Unit-A back up police vehicle
- D. Emergency Driving-That which relates to the effort made in a vehicle to proceed to an emergency scene at a speed greater than normally driven.

### **20.03 Authority**

The Texas Transportation Code permits peace officers driving a police emergency vehicle to exceed speed limits and to disregard other traffic regulations when necessary, such as when in pursuit of an actual or suspected violator of the law, subject to the following conditions:

- A. An officer may park a police vehicle wherever necessary;
- B. An officer driving a police emergency vehicle may proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- C. An officer driving a police emergency vehicle may exceed the maximum speed limit so long as the officer does not endanger life or property;
- D. A peace officer driving a police emergency vehicle may disregard regulations governing direction of movement or turning in specified directions.

### **20.04 Pursuit Liability**

- A. An officer may be held liable for consequences of his/her reckless disregard for the safety of others. An officer's duty to avoid damage or injury to innocent third parties takes precedence over pursuit or emergency response. No officer shall engage in negligent or reckless actions, even in pursuit of actual or suspected violators or in response to emergencies, which may damage or injure innocent persons.
- B. Officers shall balance the need for pursuit and apprehension against the probability and severity of damage and/or injury. The officer shall consider the seriousness of the offense which the evader or reckless evader committed.

For further requirements refer to the Department S.O.P.

## **20.05 Pursuit Review Board**

On any occasion of an officer involved in a pursuit, the Chief of Police may convene a Pursuit Review Board (“Board”). The Captain shall chair the Board. The Board shall be convened to review the circumstances surrounding the pursuit.

The Board shall be appointed by the Chief or his designee within five (5) working days following the circumstances of the pursuit. The Board shall consist of five (5) members and two alternate members to hear the matter. At least one member of the Board shall be an accident investigator. At least two (2) members of the Board shall be civilian employees of the University. The Board shall review all available and pertinent evidence, witness interviews and statements from the pursuit. The Board shall then provide a written report to the Chief of Police.

Selection for the Board and alternates will be made randomly. All ranks of regular classified, professional and administrative employees with one or more year(s) of service are eligible to serve on the Board as a civilian, with the exception of the following:

- (1) civilian employees from the department where the officer(s) involved in the discharge are employed;
- (2) the President and employees reporting directly to the President;
- (3) Vice presidents and employees reporting directly to a vice president;
- (4) General Counsel and employees serving on the staff of the general counsel;
- (5) The Director of Human Resources as well as Department of Human Resources employees.

The prospective Board members and alternates will be notified as soon as the selections have been made. Prospective members and/or alternates of the Board will have five working days after receipt of the names to disqualify themselves from participation in any matter in which they feel it would be inappropriate to serve or in the event of a schedule conflict by written notice to the Chief. In such case, the regular member will be replaced by the next alternate member by the Chief.

All time spent by Board members and/or alternates in matters related to this policy will be treated as work time and employees are expected to be relieved of their normal duties to permit service on the Board as necessary.

The names of the members and alternates agreeing to serve on the Board will be furnished to the officer(s) involved in the pursuit or their representative. The officer(s) involved in the pursuit will have five (5) working days after receipt of the names to request removal of not more than two (2) members of the prospective Board and/or alternates by written notice to the Chief. The officer(s)

involved in the pursuit may not contact prospective Board members prior to the formal convening of the Board.

Should the above procedures fail to seat a Board of five (5) people, the Board members seated will be retained and the process repeated until a full Board of five (5) people are seated. The final list of members and alternates of the Board will be provided to the officer(s) involved in the vehicular accident, the Chief of Police, the Board members, and the alternates.

The officer(s) involved in the pursuit will have five (5) working days after receipt of the names of the members of the Board and alternates to provide in writing to the Chief the name of any representative and the name(s) of any witnesses to be called.

After the Board is constituted and the hearing date scheduled, the Board will convene and hear the matter. If the officer is represented by legal counsel or any other representative, the University will be represented by the Office of General Counsel. The Board will select a moderator who will preside over the hearing. The hearing will be closed to the public at the request of either party or the Board.

The following individuals will be permitted to attend a closed hearing:

- (1) Use of Force Review Board members;
- (2) the officer(s) and a representative of the officer(s);
- (3) the officer's immediate supervisor or department head, and;
- (4) A representative of the Office of General Counsel. The representative of the OGC is permitted to attend the hearing whether or not the officer is represented by legal counsel, however, OGC will not act as a representative of the University unless the officer also has counsel present.

The hearing will consist of opening statements, if desired, by the officer and the institution or their representative, testimony by witnesses called by the officer and the institution with both parties and the Board having the right to question witnesses, and introduce relevant exhibits which either party seeks to present to the Board. The officer will have the responsibility of presenting relevant facts and circumstances surrounding the pursuit to establish that the pursuit was lawful and in compliance with policy. Formal rules of evidence will not apply to the hearing. The proceeding will be non-adversarial in nature.

Either party may request in writing at least ten working days prior to the hearing that the presentation be tape recorded. Both officer and the University may obtain a copy of the tape at the expense of the University.

At the conclusion of the testimony, both parties will be permitted to make a closing statement. Following the hearing, the Board will retire to deliberate and

will submit a written report of its recommendations to the Chief within three (3) working days following the conclusion of the Board hearing.

Within five (5) working days following receipt of the recommendation of the Board, the Chief will make a written response to the officer. The decision of the Chief is final.

All time limits set forth in this policy may be extended once by each party with the mutual consent of the parties involved, and approved by the Chief of Police.

## **TCIC / NCIC & LOCAL COMPUTER SYSTEM**

### **22.01 Computer Security**

All terminals accessing TCIC / NCIC information will be located in a secure environment to prevent unauthorized persons from accessing, viewing or disseminating material from TCIC / NCIC on a 24 hour basis. Terminal operators will not allow unauthorized persons to view information contained in the TCIC / NCIC system. All visitors to the terminal areas must be accompanied by staff personnel at all times.

### **22.02 Computer Access**

Only authorized personnel may operate a TCIC / NCIC terminal. A background check shall be made on all applicants for a position that requires terminal operation. The background check will include submission of a completed applicant fingerprint card to the FBI Identification Division through D.P.S.

Any applicant will be denied employment who is a fugitive from justice or who has a criminal history record for any felony or any class "A" misdemeanor.

All personnel operating terminals, receiving or entering information in TCIC / NCIC shall be trained in accordance with TCIC / NCIC rules prior to receiving system access.

To receive access to the Harris County JIMS System, personnel must attend a JIMS class on the operation of the system. Upon the successful completion of the class, personnel will receive a personal sign on code and password.

### **22.03 N.C.I.C. Requirements for Law Enforcement Personnel**

It is required that all sworn law enforcement personnel receive basic training in NCIC matters to ensure effective use of the NCIC system and compliance with NCIC policy and regulation. Effectuated members are required to attend the mandated hours of NCIC training as set forth by the State. Failure to do so will result in disciplinary action up to and including termination.

#### **22.04 Computer Information Use and Dissemination**

Access to restricted police systems, law enforcement and internal administrative information is limited to legitimate functions and investigations. No access shall be made to information to which the employee has a personal interest only. Information derived from the TCIC / NCIC system shall be used for criminal justice purposes only, by criminal justice employees. This information is to be disseminated to authorized persons only.

#### **22.05 Criminal History**

Only authorized members may request criminal history records. All members who access criminal history records shall be aware of the authorized uses and penalties for misuse. The requestor's field must be completed with a minimum of the first initial, last name and title on each inquiry.

It is a criminal offense for the unauthorized obtaining, use, or disclosure of criminal history information.

#### **22.06 Computer Software**

No person shall load or permit to be loaded any software on a Departmental computer without the express consent of the Chief of Police or his designee. For software to be considered for installation in a Departmental computer, a written justification describing the benefits to this office and a copy of the software license must be submitted. No software will be downloaded without a license permitting the installation.

Additionally, no person shall change or permit any software settings other than on the built in screen savers without the express consent of the Chief of Police or his designee.

Violation of this policy may result in disciplinary action up to and including termination.

For further requirements refer to the University software policy.

#### **22.07 Electronic Mail (e-mail) Policy**

This Department respects the individual privacy of its employees. But, employee privacy does not extend to the employee's work-related conduct or to the use of state-owned equipment or supplies including e-mail.

This Department has an electronic mail (*e-mail*) system to facilitate business communications. The system belongs to the University and, like any other shared



filing system, management has access to the contents of all e-mail communications at all times even if an employee has an individual password(s) to access the system. All e-mail messages are records of the University and are subject to public disclosure pursuant to the Public Information Act. In addition, the University may disclose the contents of e-mail to others within this office without your permission. The Chief of Police reserves the right to access and disclose as necessary all messages sent over the e-mail system, without regard to content. Members of the Department shall not assume that messages are confidential.

A. Use of the departmental e-mail system is for is for official business. Personal emails shall be limited and constructive in nature with no interference of business conductivity. The system shall not be used for:

1. Gossip
2. Soliciting for commercial or non profit ventures.
3. Political advertisements or solicitations
4. Personal, political, social or financial gain
5. Outside organizations forwarding messages under circumstances likely to embarrass the sender, emotional responses to Department correspondence or work situations, or anything that may be perceived as insulting, disruptive or offensive to another person or harmful to office morale.

B. Examples of prohibited messages include:

- Sexually-explicit messages,
- Cartoons or jokes that may be offensive to anyone.
- Unwelcome propositions or love letters
- Biased, ethnic or racial slurs
- Any message that could be construed to be harassment or disparagement of others based on sex, race, age, national origin, religious or political beliefs or disability.
- Chain letters of any type.
- Criminal activity or conduct

For further requirements refer to the University software and computer policies.

## AWARDS AND COMMENDATIONS

### **23.01 Procedure**

The Department has established Awards and Commendations for the purpose of providing recognition of the members, who have demonstrated honorable and/or meritorious service beyond that required for normal duty situations.

### **23.02 Award Nominations and Selection**

The Department shall collect nominations from various sources for recognition of outstanding members. Nominations will be made in accordance with the department's written standard operational procedures on the matter (See S.O.P. Manual). All members (sworn and non-sworn) are eligible to receive departmental awards and/or commendations.

### **23.03 Awards and Commendations Issued**

Awards and commendations issued by the Department shall include but not be limited to the following:

- Chief's Letter of Recognition
- Service Award Bar
- Commendation Bar
- Purple Heart Medal
- Medal of Valor
- Medal of Honor