

# Weatherford College Police Department



## General Orders

### Chief's Message:

I am proud to present the General Orders of the Weatherford College Police Department (WCPD). This document is designed to assist all employees in keeping our campus community safe in a professional and lawful manner. Adherence to these orders will help safeguard employees, the Department, and Weatherford College, from civil litigation and other negative consequences. All employees will abide by these orders and are responsible for keeping themselves current on the content of this document.

Sincerely,

Anthony Bigongiari

Chief of Police

### **Mission Statement:**

The mission of the Weatherford College Police Department is to serve and protect our students, faculty, staff, and visitors. We do this by fostering relationships, building trust, preserving the legal rights of all persons, and taking proactive measures to enhance public safety on all Weatherford College property.

### **Vision Statement:**

The Weatherford College Police Department will be recognized, trusted, and respected as a first-rate agency, by our campus community, partner agencies, and all others with whom we interact.

### **Motto:**

“Our campus is our community”

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# Chapter 1: Department Organization and Administration

## GO 100: General Orders

### 100.1 Purpose and Scope

General Orders are the written procedures, guidelines, and rules that provide employees with clear information and direction as to the expectations and responsibilities relating to the performance of their duties. This section defines the use of General Orders, and defines the authority to issue, revise, and make exceptions. This section also generally defines consequences of failure to comply with General Orders.

### 100.2 General Orders

These General Orders are intended for the guidance, governance, and maintenance of good order, morale, and discipline of the Weatherford College Police Department. These General Orders are a statement of the current directives and general practices of the Department. Except where otherwise expressly stated, all employees are to conform to the provisions of this manual. All employees are responsible for keeping themselves current on the content of this document.

It is recognized that police work is not always predictable and circumstances may arise which warrant departure from these guidelines. It is further recognized that no document can cover every unique situation an employee may encounter, so by necessity much is left to the common sense and good judgement of the individual members of the Weatherford College Police Department. It is the intent of this manual to be viewed from an objective and reasonable standard, taking into consideration the sound discretion entrusted to members of the Department under the circumstances reasonably available at the time of any incident.

Violations of this Code or gross deviation from the intent of the Code shall result in administrative sanction and may subject the offender to disciplinary action, the form of which may range from verbal or written reprimand, reduction in rank to suspension from duty and/or termination. Any administrative actions taken will depend upon the nature of the violation or deviation, the employee's performance history, and the seriousness of the violation/deviation.

Supervisory personnel, on learning of a violation of this Code, shall take immediate corrective action if deemed necessary to the maintenance of sound police practice or, if the violation is of minor nature, shall cause the appropriate supervisor to be made aware of said violation at the earliest opportunity.

The Chief may approve and authorize exceptions, updates, or revisions to individual provisions within any Department manual or directive, including this document.

Any employee may suggest a revision to these General Orders by petitioning directly to the Chief.

### **100.3 Legality of Contents**

If any section, subsection, item, clause, or phrase contained in this document is found to be illegal or otherwise incorrect or inapplicable, such finding shall not affect the validity of the remaining portions of this document. The Chief is the ultimate authority for the provisions of these General orders and will ensure compliance with all applicable Texas law.

## **GO 101: Law Enforcement Authority**

### **110.1 Purpose and Scope**

Law enforcement officers are granted the authority to perform their functions based on established legal authority. This department does not tolerate abuse of law enforcement authority.

### **101.2 Peace Officer Powers**

Sworn members of this department shall be considered peace officers pursuant to Tex. Code of Crim. Pro. art. 2.12, and Texas Education Code 51.203. The authority of any such peace officer extends to any place in the State of Texas and assigns the duty to every peace officer to preserve the peace within the State of Texas and their jurisdiction through all lawful means. A peace officer shall perform the duties as required under the Tex. Code of Crim. Pro. art. 2.13.

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

The governing board of each state institution of higher education, including each college district, may employ and commission peace officers to maintain law and order. The primary jurisdiction of a peace officer so commissioned includes all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education that employs the peace officer. Within a peace officer's primary jurisdiction, a peace officer:

1. Is vested with all the powers, privileges, and immunities of peace officers.
2. May, in accordance with Code of Criminal Procedure Chapter 14 arrest without a warrant any person who violates a law of the state.
3. May enforce all traffic laws on streets and highways.

Outside a peace officer's primary jurisdiction, a peace officer commissioned under this section is vested with all the powers, privileges, and immunities of peace officers and may arrest any person who violates any law of the state if the peace officer:

1. Is summoned by another law enforcement agency to provide assistance;
2. Is assisting another law enforcement agency; or

3. Is otherwise performing duties as a peace officer for the institution of higher education that employs the peace officer.

Any officer assigned to duty and commissioned shall take and file the oath required of peace officers. Any person commissioned under this section must be a certified police officer under the requirements of the Texas Commission on Law Enforcement (TCOLE).

### **101.3 Constitutional Requirements**

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

### **101.4 Law Enforcement Jurisdiction**

Employees should be aware that there are numerous law enforcement agencies whose jurisdiction overlaps and surrounds Weatherford College property. These agencies have jurisdiction within the confines of their geographical boundaries or areas of control. This includes, but is not limited to, the following:

(a) Federal law enforcement officers possess full federal authority nationwide as given to them under the United States Code (U.S.C.). Federal Law Enforcement Officers are authorized to enforce various laws at the federal, state, county, and local level.

(b) The Department of Public Safety (DPS) is a state entity which has statewide jurisdiction to conduct criminal investigations, issue traffic citations, and investigate intra-state crashes. This includes the Texas Rangers and DPS Troopers.

(c) Sheriff's Offices are county level entities which have jurisdiction to conduct criminal investigations and enforce County Ordinances within their county. They have statewide jurisdiction to arrest for any criminal offense committed within their presence or view. They have countywide jurisdiction to issue traffic citations.

(d) Constable Offices are county level entities which have countywide jurisdiction to serve civil process and conduct criminal investigations. They have statewide jurisdiction to serve warrants and arrest for any criminal offense committed within their presence or view. They have countywide jurisdiction to issue traffic citations.

(e) Municipal Police Departments are city level entities which have citywide jurisdiction to conduct criminal investigations. They have jurisdiction in their municipality and concurrent counties to issue traffic citations and statewide jurisdiction to arrest for any criminal offense committed within their presence or view. The Weatherford Police Department is a Municipal Police Department.



## GO 102: Oath of Office

### 102.1 Purpose and Scope

Officers of the Weatherford College Police Department are sworn to uphold the federal and state constitutions and to enforce federal, state, and local laws.

### 102.2 Oath of Office

Upon receiving a commission, all Weatherford College Police Department peace officers shall be required to affirm and sign the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer. The oath shall read as follows:

“I, \_\_\_\_\_, do solemnly swear or affirm that I will faithfully execute the duties of a Police Officer of the Weatherford College Police Department, Parker County, Texas, and will to the best of my ability preserve, protect and defend the Constitution and Laws of the United States, and of this State; and furthermore solemnly swear or affirm that I have not directly or indirectly paid, offered, or promised to pay, contributed, nor promised to contribute, any money or valuable thing to receive my appointment or election, whichever may apply, so help me God.”

## GO 103: Organizational Structure and Responsibility

### 103.1 Purpose and Scope

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals, and to provide for the best possible service to our campus community.

### 103.2 Sworn Ranks and Chain of Command Established

The below positions within WCPD may only be held by TCOLE certified peace officers:

(a) **Chief of Police** – The Chief of Police is the director of the Department, and assumes responsibility for the overall management of the organization, ensures the agency is effective in response to campus community needs, and guides the Department in progressive leadership and technology arenas. The Chief is responsible for keeping the Weatherford College administration informed of WCPD activities and accomplishments. The Chief makes final decisions regarding discipline in matters of employee misconduct. The Chief is the immediate supervisor of the Sergeants, the Bus Driver/Fleet Manager, and the Police Office Specialist.

(b) **Campus Police Sergeant** - Sergeants exercise line command over their assigned employees, and are the first line supervisory level within the Department. They are responsible for ensuring service delivery, compliance with general orders, making

recommendations for improvements in operations, and to guide, train, direct, and motivate those they supervise. When it is anticipated that the Chief will be absent or unavailable for an extended period, the Chief will appoint a Sergeant as Acting Chief in his place. Sergeants also participate in regular police functions, such as patrolling, community policing, special events. There are currently three Sergeant positions at WCPD. The primary duties of each are briefly described below:

*Campus Police Sergeant – Wise County:* The Wise County Sergeant is responsible for managing police and security operations at the WCWC campus. The Wise County Sergeant schedules and supervises security personnel and Campus Police Officers assigned to the Wise County campus. The Wise County Sergeant maintains and develops a positive working relationship with WCWC faculty and staff, especially the dean of the WCWC campus.

*Administrative Sergeant:* The Administrative Sergeant is responsible for conducting internal investigations of officer misconduct and reporting the findings to the Chief. The Administrative Sergeant is responsible for the timely filing of all reports and paperwork related to the Clery Act. The Administrative Sergeant is responsible for tracking and maintaining TCOLE paperwork, and ensuring that all WCPD personnel meet their mandated training requirements. The Administrative Sergeant tracks and maintains the list of assigned parking spaces on the main campus. The Administrative Sergeant may place purchase orders for equipment, and will assist with other administrative tasks. The Administrative Sergeant tracks the progress of new officers as they go through field training, and maintains field training paperwork. The Administrative Sergeant may be assigned other duties and special projects.

*Operations Sergeant:* The Operations Sergeant is responsible for the day-to-day operations of the department. The Operations Sergeant ensures that routine functions are carried out in a smooth and efficient manner. The Operations Sergeant schedules and serves as the direct supervisor to the security officers and CPOs at the main campus. The Operations Sergeant makes sure that athletic and special events are adequately staffed. The Operations Sergeant reviews reports and ensured that deficiencies in investigations and patrol response are addressed. The Operations Sergeant may be assigned other duties and special projects..

(c) **Campus Police Officer (CPO)** – CPOs are commissioned Peace Officers responsible for patrolling Weatherford College property, and serving and protecting our campus community. They are generally the first to contact complainants, crime victims, and those needing assistance. Assignments vary in detail, but generally involve patrol and community engagement. CPOs are responsible for keeping their chain of command informed about their activities, accomplishments, and significant events. CPOs have command authority over on-duty Security Officers.

### **103.3 Non-sworn Positions**

The below positions within WCPD may be held by persons who are not TCOLE certified peace officers:

- (a) Police Office Specialist
- (b) Office Assistant
- (c) Bus Driver/Fleet Manager
- (d) Security Officer

The Bus Driver/Fleet Manager and Police Office Specialist report directly to the Chief of Police. Office Assistants report directly to the Police Office Specialist. Security Officers report to the Campus Police Sergeant(s) at their assigned campus, but may take direction from any sworn employee while on duty.

### **103.4 On-Call**

One WCPD sworn peace officer will be designated as “on-call” at all times. The on-call officer is subject to callback, and must be available to respond to any Weatherford College property, regardless of time of day or night. The on-call officer may be contacted by on-duty personnel if guidance or clarification is needed, or if on-duty resources are overwhelmed. If additional manpower or support is needed beyond the on-call officer, the Chief of Police will be contacted, and will have the discretion to contact additional WCPD officers. All sworn WCPD officers who have completed their initial training will rotate being on-call for one-week periods. Officers have discretion to trade, swap, or adjust their on-call periods, as long as there is an on-call officer available at all times.

### **103.5 Succession of Command**

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Lieutenant will serve as acting Chief of Police. If the Lieutenant is unavailable to serve as acting Chief of Police, the most senior Sergeant will fill the role.

### **103.6 Unity of Command**

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility, but any supervisor may temporarily direct any subordinate if an operational necessity exists.

### **103.7 Chain of Command**

Employees are responsible for knowing their chain of command and operating within it, unless impractical to do so. If an employee bypasses chain of command, the employee will notify their affected supervisor as soon as practical to do so.

### **103.8 Delegated Authority**

At all levels of the Department, authority may be delegated to employees to make decisions necessary for the effective execution of their responsibilities. Employees are accountable for the use of, or failure to use, delegated authority, though supervisors are responsible for ensuring that delegated tasks are completed satisfactorily.

### **103.9 Employee Responsibilities**

Regardless of rank within the Department, employees are at all times individually responsible for conducting themselves in a professional and ethical manner, and for treating coworkers with respect and dignity. Unprofessional behavior will not be tolerated in the workplace. Employees shall maintain loyalty to the Department as is consistent with the law and personal ethics.

### **103.10 Obedience to Orders**

The Department is an organization with a clearly defined hierarchy of authority. This is necessary because obedience to a supervisor's lawful command is essential for the safe and prompt performance of law enforcement operations. Orders from a supervisor will be in clear and understandable language, civil in tone, and only issued pursuant to department business. Employees will not publicly criticize orders or instructions they have received from a supervisor. Employees will obey any lawful order from a supervisor of higher rank, regardless of whether the supervisor is within the employee's chain of command. Employees will obey lawful orders from a supervisor even if the relayed through an employee of lower rank.

### **103.11 Conflicting Orders**

Employees who are given an otherwise proper order which conflicts with policy or a previous order will respectfully inform the issuing supervisor of the conflict. If the supervisor does not alter or retract the order, the order will stand and will be obeyed. The supervisor issuing the order will be responsible for any consequences of the conflicting order.

### **103.12 Unlawful Orders**

Unlawful orders are prohibited. Supervisors will not knowingly or willfully issue any order which is a violation of any law, nor will employees obey such an order. If in doubt as to an order's legality, employees will either request clarification of the order, or confer with higher authority. An employee receiving an unlawful order will report that fact in writing or via email to the Chief as soon as it is practical to do so, and will explain the facts of the incident and actions taken.

### **103.13 Insubordination**

Employees will not be insubordinate. The willful disobedience of, or deliberate refusal to obey any lawful order of a supervisor is insubordination. Defying the authority of any supervisor by obvious disrespect or ridicule is insubordination. Challenging orders, except as outlined above, is insubordination.

## Chapter 2: Response to Resistance and Pursuit

### GO 200: Response to Resistance

#### 200.1 Purpose and Scope

This order recognizes that the use of force in response to resistance by law enforcement requires constant evaluation and that response to resistance is a serious responsibility. The purpose of this order is to provide officers with guidelines on objectively reasonable response to resistance.

While there is no way to specify the exact amount or type of objectively reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial, and objectively reasonable manner.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use lawful and objectively reasonable force and to protect the public welfare requires a careful balancing of all human interests. Officers should recognize that their conduct prior to the use of force may be a factor which can influence the level of force necessary in a situation.

This order is written in terms to apply to sworn officers. In incidents when civilian employees are authorized to use force, they are subject to the same policies and procedures as officers but the test of objective reasonableness is judged from the perspective of an objectively reasonable civilian employee.

Additionally, this order will provide directives and guidelines on the following:

- (a) De-escalation principals and techniques.
- (b) Parameters relating to the use of objectively reasonable force.
- (c) Reporting requirements.
- (d) Providing medical assistance to injured subjects.

#### 200.2 Definitions

**Bodily Injury** - Physical pain, illness or any impairment of physical condition (Tex. Penal Code § 1.07(a)(8)).

**Serious Bodily Injury** - Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ (Tex. Penal Code § 1.07(a)(46)).

**De-escalation** - Using techniques to stabilize the situation and reduce the immediacy of the threat, so that more options and resources are available to bring about a successful resolution to an encounter with a non-compliant subject. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, thereby eliminating the need to use force in response to

resistance.

**De-escalation Techniques** - Communicative or other actions used by officers, when safe, and without compromising law-enforcement priorities, that are designed to increase the likelihood of gaining voluntary compliance from a non-compliant subject, and reduce the likelihood of using force in response to resistance.

**Deadly Force** - Force that is intended or known by the officer to cause, or in the manner of its use or intended use is capable of causing death or serious bodily injury (Tex. Penal Code § 9.01(3)).

**Force** – Compulsion, violence, power, or restraint, which is exerted physically upon a person.

**Non-Deadly Force** - Any application of force other than deadly force.

**Objectively Reasonable** - An objective standard viewed from the perspective of a reasonable officer on the scene, without the benefit of 20/20 hindsight, and within the limitations of the totality of the circumstances presented at the time of the incident.

### **200.3 Duty to Intercede**

Any officer who observes another officer using force shall intercede to prevent further harm if the officer knows that the force being used is not objectively reasonable and the officer has a reasonable opportunity to prevent the harm. Such officers must also promptly report these observations to a supervisor.

### **200.4 De-escalation of Potential Force Encounters**

When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance. An officer has no duty to retreat, and nothing in this policy requires officers to place themselves in harm's way to attempt to de-escalate a situation. Employing de-escalation techniques may involve securing additional resources, tactical repositioning, and employing verbal persuasion. Before applying force, officers should give a verbal warning followed by a reasonable opportunity to voluntarily comply when practicable.

### **200.5 Response to Resistance**

While the type and extent of force may vary, it is the policy of this department that officers use only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this order.

(a) Assessment shall be ongoing – As the circumstances of a situation change, the force necessary to affect a detention, arrest, search, or transportation of a subject or to protect officer or other persons from imminent harm may also change. Officers will therefore need to re-evaluate their determination of the appropriate response to resistance as circumstances change.

(b) Officer Discretion - Understanding that no order can realistically predict every situation an officer might encounter, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the objectively reasonable response to resistance in each incident.

(c) Vascular Neck Restraints, Carotid Neck Restraints, and strangleholds are prohibited in all cases except where deadly force would be authorized. Unless engaged in a lethal force encounter, officers will not:

1. Apply direct or indirect pressure by any means to an individual's throat, windpipe, or airway in a manner that is reasonably likely to prevent, reduce, or hinder the intake of air (e.g., apply a chokehold); or
2. Apply direct or indirect pressure to an individual's neck in a manner that is reasonably likely or intended to prevent, reduce, or hinder the blood flow within the carotid arteries.

(d) Improvising Permitted - Circumstances may arise in which officers reasonably believe that it would be impracticable or ineffective to use a standard tool, weapon, or method provided by the Department. Officers may find it more effective or practicable to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device or method must still be objectively reasonable and used only to the extent which reasonably appears necessary to accomplish a legitimate law enforcement purpose.

(e) Injury to Officer Not Required - While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this order requires an officer to actually sustain physical injury before applying objectively reasonable force.

(f) Reporting Required - Any complaint by a subject that an officer caused pain or injury shall be treated as a response to resistance force incident, except complaints of minor discomfort from unresisted handcuffing.

## **200.6 Use of Force to Affect a Detention, an Arrest, or to Conduct a Search**

An officer is justified in using reasonable force when the officer reasonably believes the use of such force is immediately necessary (Tex. Penal Code § 9.51(a)):

- (a) To make or assist in a detention or an arrest, or to conduct a search that the officer reasonably believes is lawful;
- (b) To prevent or assist in preventing escape after an arrest, provided the officer reasonably believes the arrest or search is lawful; or
- (c) To make an arrest or conduct a search under a warrant that the officer reasonably believes is valid.

Soft/empty hand control, such as pressure point techniques and pain compliance, are the maximum amount of force authorized to seize evidence, when there is probable cause to believe said evidence is being held on the person of a subject.



## **200.7 Deadly Force Applications**

An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):

- (a) Protect themselves or others from what they reasonably believe would be an imminent threat of death or serious bodily injury.
  
- (b) Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:
  - 1. The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or
  
  - 2. The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended.

## **200.8 Reporting the Response to Resistance**

Any response to resistance by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. Supervisor notification shall be made as soon as practicable following any use of force incident or allegation of force. The Chief shall promptly review every response to resistance by a member of this department, once the report has been generated and the initial investigation has been completed.

## **200.9 Duty to Give Aid and Medical Care**

Prior to booking or release, medical assistance shall be obtained for any subject who has sustained visible injury, expressed a complaint of injury or continuing pain or who has been rendered unconscious. Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of first aid, examination by fire personnel, paramedics, hospital staff, or medical staff at the jail.

A subject who exhibits extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and impervious to pain, or who requires a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and shall be examined by qualified medical personnel as soon practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

If any individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

## **GO 201: Firearm Discharge Situations**

### **201.1 Purpose and Scope**

The purpose of this order is to establish procedures for the use and reporting of incidents involving the discharge of firearms. This order is for internal use only and does not increase the Department's and/or an officer's civil or criminal liability in any way. Violations of this order can only form the basis for departmental administrative actions.

### **201.2 Intentional Discharge Situations**

It is the policy of this department to resort to the use of a firearm when it reasonably appears to be necessary under the circumstances:

(a) As deadly force to prevent death or serious bodily injury. An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):

1. Protect themselves or others from what they reasonably believe would be an imminent threat of death or serious bodily injury.
2. Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:
  - (a) The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or
  - (b) The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended.

When feasible, a warning should be given before an officer resorts to deadly force.

(b) To stop a dangerous and aggressive animal: In circumstances where officers encounter an animal which reasonably appears to pose an imminent threat of bodily injury to officers or others, officers are authorized to use objectively reasonable force up to and including deadly force to neutralize the threat, when lesser means would be impractical.

(c) An officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering, and where other dispositions are impractical.

(d) For target practice or recreational shooting at an approved range or any area where firing a weapon would be safe and not a violation of law.

### **201.3 Report of Intentional Firearm Discharge Against a Person or Animal**

For any intentional firearm discharge against a person or animal, regardless of whether the person or animal is hit, the officer will notify his/her immediate supervisor as soon as it is

practicable to do so. A police report will be generated. All intentional firearm discharges against a person or animal will be reviewed by the Chief.

#### **201.4 Unintentional Discharge**

Police officers will handle firearms safely at all times. In the event that a WCPD officer unintentionally discharges a firearm, he/she will report that fact to his/her supervisor as soon as practicable to do so. This applies whether the officer is on or off duty. All unintentional discharges will be documented in a police report, and will be reviewed by the Chief.

## **GO 202: Control Devices and Techniques**

### **202.1 Purpose and Scope**

In an effort to reduce serious injuries and reduce applications of deadly force, the Department authorizes the use of selected control devices. These devices are approved to control violent or potentially violent subjects. It is anticipated that the use of these devices will result in fewer altercation-related injuries to officers and subjects. The order below relates to the use and maintenance of control devices.

### **202.2 Overview and Philosophy**

The use of control devices upon a subject by an officer shall only occur when the officer, while in the performance of their lawful duties, reasonably believes it necessary to gain control of the subject. When a decision has been made to control, restrain, or arrest a violent, threatening, or escaping subject, an approved control device may be used only when its use appears objectively reasonable under the circumstances.

Any application of a control device shall be reported to a supervisor as soon as it is practical to do so. All applications or attempted applications of control devices shall be documented in a police report and reviewed by the Chief.

Control devices will not be issued to non-sworn personnel, and non-sworn security personnel will not carry weapons while on duty.

### **202.3 Pain Compliance Techniques**

Pain compliance techniques (pressure points, arm bars, etc...) may be effective in controlling a passive or actively resisting subject. Officers may only apply those pain compliance techniques for which the officer has an objectively reasonable belief that the use of such a technique appears necessary to further a legitimate law enforcement purpose. The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved, or other more appropriate alternatives can reasonably be utilized.

## **202.4 Approved Control Devices**

Only Department issued or approved control devices and munitions shall be carried. Only Department approved modifications may be made to any control device. If an officer wishes to carry a control device not issued by the department, the device must be inspected and approved by the Chief or his designee. The control devices which may be issued by the department include batons and other impact weapons, chemical weapons such as Oleoresin Capsicum (OC) spray, and Taser devices.

Employees will conduct periodic inspections of their control devices. Routine maintenance, charging, and cleaning are the responsibility of the employee assigned the device. All damaged or inoperative devices will be reported to a supervisor as soon as it is practical to do so.

## **202.5 Baton and Impact Weapon Guidelines**

The baton and/or impact weapon is authorized for use when, based on the circumstances perceived by the officer, such force reasonably appears justified and necessary to result in the safe control of a subject. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury. The head, neck, spine and groin should not be intentionally targeted except when the officer has an objectively reasonable belief that the subject may cause serious bodily injury or death to the officer or others.

## **202.6 Chemical Agent Guidelines**

Chemical agents, such as Oleoresin Capsicum (OC spray), may only be used in situations where such force reasonably appears necessary. When objectively reasonable to do so, chemical agents may be deployed in order to:

1. Subdue or control a violent or physically resisting subject, or a subject who by words or action has demonstrated an intention to be violent or to physically resist, and who reasonably appears to possess the potential to harm employees, themselves, or others.
2. Apprehend a subject fleeing lawful arrest or detention.
3. Address situations where there is a reasonable expectation that it will be unsafe for employees to approach within contact range of the subject.
4. Repel physical attacks from humans or animals
5. Compel resistant subjects to leave an enclosure
6. Disperse violent crowds, fights, or riots

Subjects who have been affected by the use of chemical agents should be afforded means of cleansing the affected areas as soon as practicable. If subjects then continued to experience severe effects, medical treatment shall be provided.

When transporting prisoners who have been subjected to chemical agents, officers shall ensure that the prisoner stays upright with a clear airway. Officers must use care when restraining combative subjects following the use of chemical agents. Officers shall notify jail personnel when booking a prisoner who has been subjected to chemical agents.

## **202.7 Taser Device Guidelines**

The use of a Taser device upon a subject by an officer shall only occur when the officer has an objectively reasonable belief that it is necessary to gain control of the subject.

Sworn personnel who have completed approved training may be issued a Taser device. Officers shall only use the Taser device and cartridges that have been issued by the Department. If an officer is issued a Taser device, it must be carried in an approved holster. The Taser device must be carried on the side of the officer's body opposite from the officer's duty pistol.

A verbal announcement of the intended use of the Taser device should precede its application unless it would otherwise endanger the safety of others, or when it is not practicable due to the circumstances. The purpose of the warning is both to provide the subject with an opportunity to voluntarily comply, and to provide other officers and bystanders with notice that a Taser deployment may be imminent.

Officers will not intentionally direct the aiming laser of a Taser device into the eyes of another.

Officers will not hold both a firearm and a Taser device in their hands at the same time.

The use of the Taser should generally be avoided against the following, unless the totality of the circumstances indicate that other available options would be ineffective or impractical, and the officer reasonably believes that the need to control the individual outweighs the risk of using the Taser device:

1. Obviously pregnant females
2. Elderly subjects or obvious juveniles
3. Individuals who are handcuffed or otherwise restrained
4. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles)

While it is recognized that the dynamics of each situation may not permit the officer to limit the application of the Taser device to a precise target area, officers should avoid targeting the head, neck, upper chest, and groin when possible. Lower center mass is the preferred target area for the Taser.

Officers will request EMS or obtain other medical aid, if after application of the Taser device the subject reasonably appears to be in need of medical attention, is pregnant, or is suspected of being intoxicated. If a subject refuses medical attention, such refusal should be recorded on BWC and fully documented in the officer's report.

Taser darts will be removed once a subject is safely in custody and under officer control. Officers may remove Taser darts as trained, or may request EMS to remove the darts. Taser darts lodged in a sensitive part of the body will only be removed by EMS or other qualified medical personnel.

Used Taser darts shall be considered a sharp biohazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly.

The transporting officer shall inform any person receiving custody or any person placed in a position of providing care that the individual has been subjected to the application of the Taser device.

## **GO 203: Vehicle Pursuits**

### **203.1 Purpose and Scope**

Vehicle pursuits expose innocent civilians, law enforcement officers, and others to the risk of serious injury or death. The primary purpose of this order is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this order is to minimize the potential for pursuit-related crashes.

### **203.2 Definitions**

**Terminate** – Deactivate lights and siren, return to normal speed, and cease pursuit.

**Vehicle Pursuit** – An active attempt by a law enforcement officer in a motor vehicle to apprehend the occupant(s) of another moving motor vehicle when the driver is not merely failing to stop at the direction of an officer using emergency lights and siren, but is actively attempting to evade apprehension or is continuing to commit further violation(s) of the law.

### **203.3 Vehicle Pursuit Considerations and Restrictions**

The following section is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons, as required by Texas Transportation Code § 546.005.

Weatherford College Police Department officers will not engage in a vehicle pursuit unless the suspect(s) involved are known or believed to have been involved in a violent felony, or otherwise present an imminent threat of death or bodily injury to an innocent person or person(s) if not apprehended immediately.

Officers will not engage in a vehicle pursuit unless driving a marked police vehicle equipped with functional emergency lights and siren. The emergency lights and siren will be activated for the duration of the officer's involvement in the pursuit.

Officers will immediately notify dispatch via radio if they become involved in a pursuit. Officers will relay to dispatch the color, make, and model of the suspect vehicle, its speed and direction of travel, the reason for the pursuit, traffic and road conditions, and any suspect information. Officers will provide frequent updates to dispatch during the course of the pursuit.

Officers will terminate pursuit if it becomes apparent that the risk to public safety in continuing the pursuit outweighs the benefit of apprehending the offender.

Once a pursuit has left Weatherford College property, officers will allow units from other agencies (Parker County, DPS, City of Weatherford, etc...) to assume the lead position in the pursuit. Once two or more units from outside agencies have joined the pursuit, and the pursuit is no longer on Weatherford College property, WCPD units will terminate pursuit. WCPD officers will still be responsible for filing applicable criminal charges for offenses which occurred on Weatherford College property, should the suspect be apprehended by other agencies after WCPD officers have terminated pursuit.

Officers will not intentionally bring their vehicle into physical contact with a suspect vehicle during the course of a pursuit.

The Chief of Police will be notified promptly whenever a WCPD officer has been involved in a vehicle pursuit. A police report will be generated any time a WCPD officer is involved in a vehicle pursuit.

### **203.4 Pursuits Initiated by Other Law Enforcement Agencies**

WCPD officers will not participate in, join, or assume control of a vehicle pursuit initiated by another agency, even if the pursuit passes through Weatherford College property. WCPD officers will not set up road blocks, barricades, or otherwise directly intervene in vehicle pursuits initiated by other agencies. However, if officers become aware of an approaching vehicle pursuit, officers may use vehicles to block entrances and access points to Weatherford College property, to channel the pursuit away from our campus.

In the event that a pursuit comes to an end on or near Weatherford College property, WCPD officers may assist with perimeter, crime scene, and apprehension efforts.

## **GO 204: Foot Pursuits**

### **204.1 Purpose and Scope**

Foot pursuits are inherently dangerous and require common sense, sound tactics, and heightened safety awareness. This order provides guidelines intended to enhance officer safety during foot pursuits.

### **204.2 Foot Pursuit Considerations and Restrictions**

It is the policy of this department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the subject with the risk and potential for injury to department personnel and the public. Officers are expected to act reasonably based on the totality of the circumstances. If the risk of injury outweighs the benefit of apprehending the suspect, officers are expected to cease pursuit.

Civilian employees, including security personnel, will not engage in foot pursuits. Security personnel may follow at a distance subjects believed to have been engaged in criminal activity only for the purpose of relaying information to law enforcement.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in, or has engaged in criminal activity. Mere flight by a subject who is not suspected of criminal activity shall not serve as the sole justification for engaging in a foot pursuit without the development of reasonable suspicion.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing subjects. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available.

If the identity of the suspect is known or can be easily obtained, and the subject can be easily apprehended at a later date, officers should consider if the risks of pursuit outweigh the benefit of immediate apprehension.

Officers shall immediately notify dispatch when engaged in a foot pursuit. Officers will provide the location, direction of travel, reason for pursuit, and a description of the suspect. Officers will request assistance from surrounding agencies. Officers will provide frequent updates to dispatch during the course of the pursuit.

Officers may join or assist other agencies engaged in foot pursuits which approach or occur on Weatherford College property.

The Chief of Police shall be notified promptly when a WCPD officer has been involved in a foot pursuit. All foot pursuits shall be documented in an incident report.



# Chapter 3: Field Operations and Custody

## GO 300: Campus Police Functions

### 300.1 Purpose and Scope

The purpose of this order is to define the functions of the Weatherford College Police Department.

### 300.2 General Functions

All sworn officers of the Weatherford College Police Department will carry out the following essential duties and responsibilities:

Protect the social and academic environment and preserve the legal rights of individuals by patrolling buildings and grounds of college; examining doors, windows, and gates to determine that they are secure; warn violators of rule infractions, such as loitering, smoking, or carrying forbidden articles, and apprehending or expelling person(s) engaging in suspicious or criminal acts; inspecting equipment and machinery to ascertain if tampering has occurred. Investigate accidents, incidents, and offenses, and prepare appropriate reports. Regulate traffic and parking to maintain orderly flow; enforce campus motor vehicle rules and regulations. Maintain uniforms, equipment, and vehicles.

Watch for and report irregularities or hazards such as leaking water pipes. Make sure doors are secured properly. Observe college personnel to guard against theft of company property. Summon outside resources as required during emergencies. Permit authorized persons to access college property. Record data such as property damage, unusual occurrences, and malfunctioning of machinery or equipment, for supervisory staff. Proactively build positive professional relationships with Weatherford College students, faculty, and staff.

All officers of the department will at all times, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law and enforce the laws of the United States and the state of Texas and all local ordinances in accordance with the rules, regulations, policies, procedures and orders of the jurisdiction and the department. Officers will be conscience that when they act under the “color of the law,” that the phrase includes not only laws but also policies, procedures, ordinances, common usage and customs.

Other duties may be assigned.

## GO 301: Responsibility to the Campus Community

### 301.1 Purpose and Scope

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees

will be held accountable for the manner in which they exercise the authority of their office or position. Employees will be respectful of the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgement.

### **301.2 Impartial Attitude and Courtesy**

Employees shall provide equal and fair protection of all rights under local, state, and federal law for all members of our campus community. Law enforcement will be conducted in an impartial and equitable manner.

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, ethnicity, or social or ethnic background. Employees will endeavor to understand and respect cultural, national, racial, religious, physical, mental, and other differences.

The use of remarks, slurs, epithets, words, or gestures which are derogatory or inflammatory in nature to or about an persons or group is strictly prohibited. Employees will not ridicule, mock, taunt, deliberately embarrass, humiliate, belittle, or shame person, or do anything that might incite that person to violence.

Employees will be tactful in the performance of their duties, control their tempers, exercise patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

Employees will not use indecent or profane language or gestures while interacting with, or in the vicinity of, members of our campus community.

## **GO 302: Public Recording and/or Photography of Official Acts**

### **302.1 Purpose and Scope**

The Weatherford College Police Department recognizes that members of the general public have a First Amendment right to record and/or photograph officers in any public space, unless such recordings or photography interfere with police activity.

### **302.2 Recording and/or Photographing Officers**

Officers are reminded that photography, including videotaping, of places, buildings, structures, and events are common and normally lawful activities. This activity by itself does not constitute suspicious conduct.

As long as the photography or recording takes place in a setting at which the individual has a legal right to be present, and does not interfere with an officer's safety or lawful duties, officers will not interfere with the recording or photography.

Officers shall not erase, delete, instruct, or require any other person to erase or delete any recorded images or sounds from any camera or other recording.

Officers are reminded that a person commits an offense if the person with criminal negligence interrupts, disrupts, or otherwise interferes with a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law (TXPC 38.15 – Interfering with Public Duties). Nothing in this order prohibits officers from questioning or detaining individuals they reasonably suspect have committed, are committing, or are about to commit any crime.

If a person is photographing or recording police activity from a position that impedes or threatens the safety of officers or others, or that impedes or interferes with officers' ability to perform their duties, officers may direct the person to relocate. However, in such circumstances, officers will not order the person to stop photographing or recording.

## **GO 303: Body Worn Camera Systems**

### **303.1 Purpose and Scope**

The body worn camera (BWC) system provides an unbiased audio/video recording of events that officers encounter. These recordings can be useful for the documentation of evidence, the preparation of offense reports, and future testimony. Further, BWC systems can deter inappropriate conduct by both officers and the subjects they encounter. This order covers the use of BWC systems.

### **303.2 Body Worn Camera Usage**

Officers will wear their issued cameras while working their regular assignments, unless they are inside the WCPD office on the main campus or Wise County campus. Officers will also wear their assigned camera when working in uniform during special assignments, such as athletic events and fundraisers.

Officers will wear their cameras on the front part of the torso, at or above center mass. Officers will ensure the camera has an unobstructed view when worn.

Officers will regularly check their issued cameras to ensure that the BWC is working properly. Officers are responsible for ensuring that the batteries in their BWCs are adequately charged and have adequate storage space for their assigned duties. Employees who discover a defect to their assigned camera will promptly report the matter to a supervisor.

Officers will not surreptitiously record subjects using their issued BWCs, unless such activity has been authorized by the Chief of Police. If a subject asks an officer if the officer's BWC is activated, the officer will answer truthfully.

Officers need not activate their issued cameras while simply patrolling campus and having routine interactions with faculty, staff, and students.

Officers need not activate their BWCs when responding to routine calls for service where criminal activity is not suspected. Examples of such calls include unlocking doors and assisting stranded motorists.

Officers will activate their issued BWCs when arresting or detaining a person, or when in a situation where an arrest or detention is likely. Officers will activate their issued BWCs when they anticipate that the use of force will be applied to achieve a law enforcement objective. Officers will activate their issued BWCs when forcing entry to a residence or occupied building. Officers will activate their issued BWCs when conducting an initial investigation into suspected criminal activity.

Officers should activate their BWCs when they find themselves dealing with a hostile subject, or become involved in any contentious encounter. Officers should activate their issued BWCs when interviewing suspects, witnesses, and victims of alleged criminal activity, unless the officer is obtaining a written statement from the individual, or the interview is being recorded through other means.

Once a BWC is activated, it should not be deactivated until the situation is resolved, and any detained subjects have been released or taken to a booking facility.

If the victim of a crime requests that the officer not record the victim's initial statement, officers will honor the request, and will document this fact in any associated reports.

In addition to the above situations, officers may activate their BWCs anytime they believe the use of a BWC would be appropriate or valuable to document an incident.

There may be instances in which an officer is required to take immediate action in response to an event which may not allow time to activate their BWC. In those situations, it may be impractical or unreasonable for officers to activate their BWC before taking police action. It is expected that once it becomes practical to do so, officers will activate their BWC system to record the remainder of the incident. Employees should document the reason for the delay in camera activation in their offense report as appropriate.

Supervisors may review their subordinates' BWC footage whenever they feel the need to do so. The Chief of Police shall review any BWC footage of officers' response to resistance, foot pursuits, or other significant incidents.

## **GO 304: Radio Use**

### **304.1 Purpose and Scope**

Digital radio communications are a vital element of effective law enforcement. This order establishes guidelines for radio use.

### **304.2 Radio Guidelines**

Sworn officers will carry portable radios while patrolling campus, or on assignment outside the office. Non-sworn employees, including security personnel, will not carry portable radios without prior authorization from a supervisor.

If issued a portable radio, employees will be responsible for ensuring it is charged and accessible when needed. Employees will promptly report damaged, lost, or malfunctioning radio equipment to their supervisor.

Radio communications will be conducted in a professional, concise, and effective manner. Employees will comply with FCC regulations relating to the use of radio communications systems. Employees are reminded that all digital radio transmissions are recorded and subject to public information requests.

Employees calling or responding to dispatch shall identify themselves by their assigned unit number. They should not continue the transmission until acknowledged by the dispatcher. Officers shall notify dispatch when responding to an incident likely to result in an arrest or detention, or whenever they encounter a hostile subject. Officers will update dispatch as the situation evolves. Officers may request additional off-campus resources from dispatch as needed.

Transmissions regarding emergencies shall be given priority over routine transmissions. Units not involved in the emergency shall refrain from transmitting until the situation has been resolved.

Officers should generally keep their radio set to the channel of the law enforcement agency which has primary jurisdiction over the area in which the officer is located. Officers may scan other channels, or switch to another channel as operational needs dictate.

When a Campus Police Officer is assigned to carry the duty phone, that officer shall also be responsible for monitoring the radio channel of the surrounding jurisdiction.

## **GO 305: Duty Phone**

### **305.1 Purpose and Scope**

The number assigned to the WCPD duty phone at the main campus is 817-771-3535. The Wise County campus duty phone is 817-757-2292. The duty phone is the primary method through which the campus community will contact us for assistance. This order establishes guidelines for the monitoring and use of the duty phone.

### **305.2 Duty Phone Guidelines**

The main campus duty phone shall be assigned to an individual Campus Police Officer or Security Officer at all times. The Wise County duty phone will be assigned to an individual Campus Police Officer or Security Officer whenever WCPD has such an employee at the campus. The assigned employee will answer the duty phone whenever it rings.

The assigned employee is responsible for assessing the nature of the call, and responding appropriately. Non-emergency and non-urgent calls should be resolved or rerouted to another line as soon as is practical to avoid tying up the duty phone for extended periods of time.

In the event that a caller reports a medical emergency through the duty phone, the answering employee should gather the minimum information needed to deploy on campus resources, then refer the caller to 911 so that the caller can receive professional medical guidance.

The main campus duty phone shall be monitored 24/7, 365 days a year. On Christmas day, with the permission of the Chief of Police, the duty phone may be taken home by its assigned employee, who will monitor the phone from home, and respond to campus if needed.

The duty phone and its assigned employee should remain on or near campus as much as possible. If the bearer of the duty phone must leave campus for more than 1 hour, the duty phone should be reassigned.

It will be the responsibility of the incoming day shift officer to reset the duty phone (turn it off, then back on), at or about 7am daily, to ensure the phone is functioning properly and has downloaded necessary software updates.

## **GO 306: Search and Seizure**

### **306.1 Purpose and Scope**

Both the federal and state Constitutions provide every individual to the right to be free from unreasonable searches and seizures. This order provides guidelines for sworn Weatherford College Police Department officers to consider when dealing with search and seizure issues. Per below, non-sworn employees are generally prohibited from conducting searches and seizures.

### **306.2 Non-sworn Employees**

Non-sworn employees, including security personnel, will not conduct searches of persons, vehicles, and personal property, except when recovering lost or abandoned property, or accepting property turned in as "lost and found."

### **306.3 General Guidelines**

Searches will be conducted with dignity and courtesy.

Officers will conduct property searches in a manner that returns the condition of the property to its pre-search status as nearly as reasonably practicable.

Officers should attempt to acquire keys to locked property when a search is anticipated and the time and effort required to obtain the keys makes it a practical option.

It is the responsibility of each officer to search a prisoner for weapons or contraband any time they gain custody of that prisoner, regardless of whether the prisoner was previously searched by another officer.

Officers may conduct searches based on probable cause, safety frisks, and searches incidental to arrest, in accordance with applicable law. Officers are responsible for staying abreast of current case law related to searches.

When safety permits:

1. Officers should explain the reason for the search, and how it will be conducted
2. Searches of persons should be recorded on BWC whenever possible.
3. An officer of the same gender as the subject should search subjects believed to be concealing contraband in sensitive areas, such as the groin, buttocks, or breast areas. This does not apply to suspected weapons or other items that pose an immediate threat to officer safety.
4. If a subject requests a search by an officer of the same gender, an attempt should be made to have a same gender officer conduct the search.
5. Officers will use the backside of their hands and fingers to frisk sensitive areas of the opposite gender.
6. If the gender of a subject is in question, officers may respectfully inquire as to the subject's gender identity. Officers will conduct their searches based on the answer provided by the subject.

### **306.4 Exigent Circumstances**

Exigent circumstances permitting entry into premises without a warrant or valid consent generally include any of the following:

1. A reasonable belief that a person within is in need of immediate aid.
2. The need to protect or preserve life or avoid injury
3. Imminent escape of a felony suspect
4. The reasonable belief that significant contraband is about to be removed or destroyed
5. An imminent threat to public safety

An exigency created by the officer's own conduct as an excuse for a warrantless entry is not permitted.

### **306.5 Consent Searches**

Officers should only request a consent search when they have an articulable reason why they believe the search is may reveal contraband or evidence related to an investigation. A search by consent is only allowed if the following criteria are met:

1. Consent is voluntary, the product of free will, and not obtained through submission to authority, either expressed or implied
2. Consent is obtained from a person who has the proper authority to grant consent (e.g., the person is the owner of the vehicle in question etc...)
3. The search does not exceed the scope of the consent granted

A subject who grants consent to search must be allowed to revoke the consent if they so desire, and officers are obligated to ensure the subject has the ability to communicate such a desire while the search is conducted. Absent other legal justification, any related search shall be discontinued at any point that consent is withdrawn.

Officers should record the subject granting consent on their BWC system. If this is not possible, officers should obtain the consent in writing, using the approved Weatherford College Police Department consent to search form.

### **306.6 Vehicle Inventory**

A vehicle inventory is a legitimate law enforcement activity that is not a search and that sometimes, incidentally, results in the discovery of evidence. Vehicle inventories will be conducted in compliance with GO 318.4 when officers impound a vehicle, and officers will notate property inside the vehicle on the tow sheet. Officers shall not use a vehicle inventory as a pretext to conduct a search, nor will officers impound a vehicle as a pretext to conduct an inventory.

### **306.7 Plain View**

Because an individual does not have an expectation of privacy as to items that are in plain view, no search has taken place when an object is viewed from a location where the officer has a right to be. Officers may seize contraband or evidence seen in plain view if officers lawfully arrive at the location from which the evidence or contraband is seen. Officers may not force entry to a residence to seize items viewed from outside the residence, unless exigent circumstances exist under GO 306.4, or the officers have obtained a search warrant.

### **306.8 Strip Searches**

Strip searches will only be conducted if there is a clear and compelling need, and all other practical options have been exhausted. Strip searches will only be conducted with the approval of the Chief. Strip searches will be conducted in privacy, including only the officers needed to maintain safety. Strip searches will only be conducted by members of the same gender as the subject being searched.

### **306.9 Body Cavity Searches**

Other than checking the mouth area, body cavity searches will not be conducted by members of this department. Should the need arise for this type of search, the prisoner will be transported to the jail or another facility where proper hygienic and medical resources are available. Staff at the jail or facility will conduct the search.



## GO 307: Misdemeanor, Parking, and Warning Citations

### 307.1 Purpose and Scope

The Texas Code of Criminal Procedure (art. 14.06) permits law enforcement agencies to use citation release procedures in lieu of arrest for specified Class A or B misdemeanor offenses, and all Class C misdemeanor offense with certain exceptions. WCPD officers are also authorized to issue parking violation citations. This order establishes guidelines for the use of these citations.

### 307.2 Misdemeanor Citations

Misdemeanor citations will only be issued by sworn employees.

Officers will only issue citations from approved Weatherford College Police Department citation books. Issued citations must include notice of the time and place the subject must appear before the magistrate, the name and address of the subject, and the offense charged.

The Weatherford College Police Department does not issue citations for Class A and Class B misdemeanors. These offenses will result in custody arrests.

Officers will not issue citations for the offense of Public Intoxication (TXPC 49.02), but may release intoxicated individuals into a safe environment as an alternative to custody arrest. If officers encounter a subject who is publicly intoxicated and a danger to themselves or others, and no safe alternative exists, officers will arrest the subject.

In compliance with Texas Transportation Code 543.004, officers **must** attempt to issue a misdemeanor citation rather than make a custody arrest for the following violations:

1. Speeding
2. The use of a wireless communication device under Texas Transportation Code 545.4251
3. A violation of the open container law, section 49.031, Texas Penal Code

Except as noted above, officers are encouraged to use misdemeanor citations in lieu of a custody arrest for all Class C misdemeanors, other than Public Intoxication (TXPC 49.02). If an officer chooses to make a custody arrest rather than issue a citation for a Class C misdemeanor other than Public Intoxication, officers will explain the decision to arrest in their offense report. Valid considerations for making a custody arrest rather than issuing a citation include inability to positively identify the violator, stopping ongoing criminal conduct, removing the imminent threat of violence or harm, and preventing persons from harming themselves or others.

If a Weatherford College student receives a citation for a criminal offense, officers will generate an offense report, and will notify Student Services. If the Weatherford College student is an on-campus resident, the Director of Housing will also be notified. If the student is a member of a Weatherford College athletic team, the team Coach will also be notified.

If an officer offers a misdemeanor citation in lieu of a custody arrest, and the violator refuses to sign the citation, the officer may make a custody arrest after exhausting reasonable attempts to convince the violator to sign.

### **307.3 Parking Citations**

Parking citations will only be issued by sworn employees. Non-sworn employees, including security officers, will not issue parking citations.

Sworn officers may issue Weatherford College Parking Citations for observed violations. Officers may use discretion and allow violators to voluntarily move their vehicles or issue verbal or written warnings in lieu of citations as appropriate.

Violations of campus parking violations are civil/administrative issues and are not criminal in nature. As such, parking violators may receive fines or other administrative sanctions, but will not face criminal charges. WCPD Officers need not involve Student Services or the Housing Director when Weatherford College students receive parking citations, except in cases of repeated or egregious violations.

Officers will submit copies of issued parking citations to WCPD administrative staff. WCPD administrative staff will enter the parking citation information into the Omnigo WCPD database.

Officers will ensure that parking citations are written legibly, so that they can be read by violators and WCPD administrative staff.

WCPD administrative staff will place holds on students' campus accounts for unpaid parking citations.

WCPD personnel will not accept payment for parking violations. WCPD personnel will refer parking violators to the business office for fine payment.

Repeated or egregious violations of parking regulations may result in enhanced administrative sanctions, including revocation of parking permit, vehicle towing, or vehicle booting. Any such enhanced sanctions must be approved by the Chief.

### **GO 307.4 Warning Citations**

Warning citations are used to address parking violations without the use of fines or formal sanctions. WCPD Security Officers and sworn employees may issue warning citations. Sworn employees are trusted to use appropriate discretion when choosing to issue a warning citation or a parking citation. WCPD warning citations are green in color. Warning citations are not tracked or retained once issued.

## **GO 308: Handling Publicly Intoxicated Persons**

### **308.1: Purpose and Scope**

This order is intended to provide guidelines for dealing with persons who are in violation of Texas Penal Code 49.02, which states: A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger themselves or another person.

## **308.2: Public Intoxication**

When an officer encounters a person who is in a public place, and intoxicated to the point that the person is a danger to himself/herself or others, officers may make a custody arrest for Public Intoxication (TXPC 49.02.)

In lieu of arrest, the officer may release such an individual to the care of a responsible and sober adult who agrees to assume responsibility for the individual. In such cases, the officer will document the name, date of birth, and contact information of the sober party in the offense report concerning the incident. Officers will never release an intoxicated individual to someone who is a stranger to the individual.

If an officer encounters a subject intoxicated to the point that there is a concern of overdose, alcohol poisoning, or other medical concern, officers shall summon EMS to the scene to care for the individual. Officers may turn custody of the individual over to EMS if it is determined the individual requires medical attention at a hospital or other medical facility. Officers will document these facts in the offense report concerning the incident.

Officers will not issue citations for the offense of Public Intoxication (TXPC 49.02)

When an officer encounters a Weatherford College student who meets the criteria for arrest under TXPC 49.02, officers will generate an offense report, and will notify Student Services, whether or not an arrest is made. If the Weatherford College student is an on-campus resident, the Director of Housing will also be notified. If the student is a member of a Weatherford College athletic team, the team Coach will also be notified.

Persons should not normally be arrested and charged with Public Intoxication if they are in their own residence. Intoxicated subjects may be arrested if they are creating a disturbance on their own property which can be viewed by the public, but only if the disturbance cannot be ended in any other manner.

## **GO 309: Handling Juveniles**

### **309.1 Purpose and Scope**

The purpose of this order is to provide guidance and direction for processing and handling juvenile offenders. There are differences in the manner in which juveniles are handled under Texas law. A juvenile is defined as a person who is (Tex. Fam. Code § 51.02(2)):

(a) 10 years of age or older and under 17 years of age, or

(b) 17 years of age or older and under 18 years of age who is alleged or found to have engaged in delinquent conduct or conduct indicating a need for supervision as a result of acts committed before becoming 17 years of age.

### **309.2 Confidentiality**

Confidentiality of juvenile records is mandated by state law. The names of juvenile offenders will not be released to the news media or any other person not involved in the judicial or diversion process.

A juvenile defendant shall not be named in any public document, including an affidavit for an arrest warrant involving an adult co-defendant or in an affidavit for a search warrant.

Physical files and records concerning juveniles shall not be open to public inspection, and shall be open to inspection only by a juvenile justice or criminal justice agency.

An affidavit for a search warrant on a juvenile offender should be submitted to a juvenile court judge to obtain the search warrant. Record of the search warrant will be retained by the juvenile court.

All juvenile arrest files and records, when not in use, shall be secured. Under no circumstances will juvenile arrest records be mingled with adult records.

Information concerning juveniles collected during the course of business may be released/disseminated under the following circumstances:

1. Information required to be collected for the "juvenile justice information system" will be forwarded to the Department of Public Safety (DPS);
2. Information compiled during investigation of a criminal combination may be released to other criminal justice agencies or any court having jurisdiction over a child;
3. Information concerning missing children may be entered into NCIC; and
4. Information concerning children adjudicated of sexual offenses and required to register with the Department as sex offenders will be forwarded to DPS.

### **309.3 Custody of Juveniles**

Section 52.01 of the Texas Family Code states that a child may be taken into custody:

1. Pursuant to an order of the Juvenile Court.
2. Pursuant to the laws of arrest.
3. By a law enforcement officer, if there is probable cause to believe that the child was engaged in:
  - (a) Conduct that violates a penal law of this state or a penal ordinance of any political subdivision of this state; or
  - (b) Delinquent conduct or conduct indicating a need for supervision.
4. By a probation officer if there is probable cause to believe that the child has violated a condition of probation imposed by the juvenile court.
5. Pursuant to a directive to apprehend.

In place of taking a child into custody, state law allows a peace officer to issue a field release citation for a traffic offense, or an offense punishable by fine only, other than Public Intoxication or Possession of Marijuana.

In compliance with state law, the parent or guardian of a juvenile will be promptly notified when the child is in police custody.

In compliance state law, a warrant is not required to take a juvenile into custody for a past offense, as long as there is probable cause to believe that the juvenile committed the offense.

Juveniles shall not be transported in the same vehicle with adults who are suspected of or charged with criminal acts. Juveniles shall be separated at any and all times by sight and sound from adults detained in the same building.

When probable cause exists to arrest a juvenile offender, officers are encouraged to consult with the appropriate prosecutor's officer, when practical, prior to making the arrest.

Officers will follow all applicable state laws regarding interviewing, interrogating, photographing, or fingerprinting juvenile suspects. Prior to fingerprinting, photographing, or formally interviewing a juvenile suspect regarding a criminal matter, officers will consult with the applicable prosecutor's office for guidance.

When releasing a juvenile from custody, officers should make reasonable efforts to release the juvenile to their custodial parent or guardian. If a juvenile is released to an adult other than their custodial parent or guardian, officers will take appropriate steps to ensure the adult in question is safe and responsible. Such steps may include, but are not limited to CPS checks, warrant checks, criminal history checks, etc. When a juvenile is released to an adult, this will be documented in an incident report, and the adult's identifying and contact information will be included.

## **GO 310: Detentions, Handcuffing, and Consensual Encounters**

### **310.1 Purpose and Scope**

The purpose of this order is to establish guidelines for conducting and documenting detentions, interviews, and taking and retaining photographs of subjects in the field.

### **310.2 Definitions**

**Consensual Encounter** - Occurs when an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that their contact with the officer is voluntary.

**Custody** - A person is in "custody" only if, under the circumstances, a reasonable person would believe that their freedom of movement was restrained to the degree associated with a formal arrest. Custody can be construed as actual or constructive; therefore, it is incumbent upon the officer to be conscious of the subject's belief about whether or not they are free to leave.

**Detention** - The brief stopping of an individual based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

**Field Photographs** - Posed photographs taken of a person during a contact, detention or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video system when persons are not posed for the purpose of photographing are not considered field photographs.

**Reasonable Suspicion** - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

### **310.3 Detentions**

Detentions constitute seizures under the Fourth Amendment. Officers may stop and question individuals when there is reasonable suspicion that the person may be involved in past, present, or future criminal activity. In justifying a detention, officers should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop.

Officers may detain persons they lawfully stop for a reasonable length of time in an attempt to verify their identity, account for their conduct, discover whether a crime occurred, and/or determine their involvement. Officers shall release a person from an investigative stop if the person eliminates the officer's reasonable suspicion of criminal involvement, or the officer fails to develop the probable cause necessary to arrest within a reasonable time.

### **310.4 Handcuffing Detainees**

Once an officer handcuffs an individual, that subject is clearly detained. Not all detained subjects are handcuffed, but all handcuffed subjects are detained. Officers should only handcuff detained individuals when it is reasonable to do so. Some factors which may reasonably lead to handcuffing a detained individual include, but are not limited to physical resistance, verbal threats, aggressive body posture, known violent history, the nature of the crime being investigated, furtive movements, or a reasonable suspicion that the subject may be armed.

Officers should weigh the safety interests of all involved individuals against unreasonable intrusion upon a detainee when deciding whether or not to use handcuffs.

All detentions which involve handcuffing will be documented in a report. If not obvious, officers will explain why the handcuffs were used in the report.

### **310.5 Consensual Encounters**

Officers are encouraged to initiate conversations with faculty, staff, and students in order to gain knowledge and remain an integral part of the campus community. Officers may talk to a person at any time, for any reason, in performance of their duties.

A consensual encounter is not a stop, arrest, or detention, and there is no intent to inhibit any rights or freedoms of a person. The person has a right to fail to respond to the officer, refuse to identify themselves, or simply walk away.

## **GO 311: Arrests**

### **311.1 Purpose and Scope**

This order provides guidelines for arrests. The following order cannot address every situation that an officer may encounter, however, in exercising arrest authority, officers should be guided by this document. Nothing in this order should be interpreted as authorizing or restricting an officer's arrest authority as defined by the Texas Code of Criminal Procedure. Dorm rooms at Coyote Village are private residences.

### **311.2 Warrant Arrests**

Officers will arrest any person found to have an outstanding warrant, provided the arrest can be made in compliance with the below guidelines.

Officers legally inside a residence who discover that an occupant has a Felony, Class A, or Class B misdemeanor warrant will make an arrest. If an occupant is discovered to have a Class C misdemeanor warrant, officers may make the arrest at their discretion.

Officers receiving information that a person with an arrest warrant is inside a third-party private residence may NOT enter and search for the violator, unless:

1. The officer is in possession of a valid search warrant for that specific residence.
2. The officer has received consent from the person in care, custody, and control of the residence; or
3. The officer can clearly articulate exigent circumstances indicating that delayed entry would expose a person to serious injury or death, or would allow a felony violator to escape.

Unless impractical to do so, officers will consult with a supervisor and conduct a threat assessment prior to attempting a warrant service at a residence. Whether or not the attempted warrant service results in an arrest, officers will complete a police report documenting the attempted service.

During the course of a lawful arrest or detention, an officer may run a subject for warrants. When a "hit" is received on a local, TCIC, or NCIC warrant inquiry, confirmation from the originating agency must be obtained prior to taking official action. The person may be detained for a reasonable amount of time until confirmation is made by the originating agency.

### **311.3 Warrantless Arrests**

These guidelines are based upon the idea that the use of an arrest, followed by prosecution, is not the primary or exclusive method available to officers. Generally speaking, officers should consider alternatives to arrest when practical to do so. For example, minor violations of the law

by students may be better handled administratively by Weatherford College than in the criminal courts.

Officers are not required to exhaust all alternatives before making an arrest, but may resort to that method that will most quickly and safely bring the situation under control. Officers are expected to be able to state and describe the reason(s) for a particular course of action upon the request of a reviewing supervisor.

Arrests will not generally be made outside the boundaries of Weatherford College property except in cases of fresh pursuit, while following up on crimes committed on Weatherford College property, or while assisting other agencies. On-duty officers who discover criminal activity outside the boundaries of Weatherford College property should, when circumstances permit, attempt to contact the agency having primary jurisdiction before attempting an arrest.

Warrantless custody arrests will not normally be made for a misdemeanor offense inside a residence unless authorized by a supervisor. However, the following misdemeanor arrests inside a home may be made, and do not require a supervisor's approval:

- a.) Offenses committed in the officer's presence.
- b.) Family Violence incidents. Officers will comply with WCPD general orders and state law.
- c.) Violations of valid protective orders.

Except as noted above, when a misdemeanor violation occurs in a private home or the person flees into a private home, it is preferable for the officer to have warrants issued for the person's arrest.

Officers who are legally inside a private residence and observe a felony being committed, or develop probable cause to believe a felony has been committed and there is no time to get a warrant, may make an arrest.

If officers develop probable cause to believe a felony is being committed inside a private residence and a bona fide emergency exists (exigent circumstances), they may enter to arrest the violator.

Officers in hot pursuit of a felony violator who flees into a private home may enter to effect the arrest.

Officers who receive information that a felony violator is inside a private residence may only enter and search for the violator when:

1. The officer is in possession of a valid search warrant for that specific residence.
2. The officer has received consent from the person in care, custody, and control of the residence; or
3. The officer can clearly articulate exigent circumstances indicating that delayed entry would expose a person to serious injury or death, or would allow a felony violator to escape.
4. The officer has personally observed the felony violator enter the residence at that time.



### **311.4 Arrestees in Possession of Vehicles**

In the event that an arrestee is in possession of a vehicle at the time of arrest, the vehicle shall be impounded and preserved for evidence processing if it is the instrument, fruit, or evidence of a crime, or if it contains an instrument, fruit, or evidence of a crime. If the vehicle is not needed for evidentiary purposes, the vehicle may still be impounded, at the discretion of the officer.

If the officer(s) choose not to impound the vehicle, the vehicle may be released to a responsible adult of the arrestee's choosing. The person taking custody of the vehicle must be in possession of a valid driver's license, and capable of assuming care, custody, and control of the vehicle. Vehicles will not be released to intoxicated persons. The identity of the person who takes custody of the vehicle will be noted in the incident report.

If an arrestee is a student, staff, or faculty member of Weatherford College, and is in possession of a vehicle which is parked on campus at the time of their arrest, officers may secure the vehicle and leave it parked on campus in lieu of impound, as long as the vehicle is not needed for evidentiary purposes. In these circumstances, it is not necessary for another party to come forward to take custody of the vehicle.

See also GO 318.3: Towing and Impound Guidelines.

### **311.5 Children or Animals in Custody of Arrested Persons**

When arrested persons have a child less than 17 years of age in their care, custody, and control at the time they are arrested, it is the responsibility of the arresting officer or a designated officer on-scene to ensure the safe placement of the child.

Officers shall first attempt to locate a competent adult, at the request of the arrested party, to come and take custody of any children. Should a competent adult be located, officers shall:

1. Run a check for any protective order regarding the adult with whom the placement of the child/children is being considered.
2. Complete warrant and criminal history checks to ensure the child/children is not being placed with a wanted fugitive or dangerous felon.
3. Contact Child Protective Services Law Enforcement Number to request a CAPS (Child/Adult Protective Services) check be done to ensure the child/children is/are being placed in a safe environment with no history of abuse.

Once these steps have been completed, the officers may release the child/children to the adult in question, provided the adult shows no prior felony convictions, no active warrants, and no history of abuse through CPS.

Officers will not release children to persons who appear to be intoxicated.

Officers will clearly and fully identify any person to whom they release children in the incident report.

If no responsible adult can be found to take custody of the child or children of an arrestee, officers will notify CPS. Officers will place children as directed by CPS.

Whenever possible, officers will take reasonable steps to accomplish the arrest of a parent or guardian out of the presence of a child.

When an arrestee is in possession of an animal at the time of their arrest, the animal may be released to a responsible adult of the arrestee's choosing. The identity of the person to whom the animal is released will be fully documented in the incident report. If no responsible adult can be located, officers will surrender the animal to Animal Control, or to the appropriate public animal shelter.

### **311.6 Special Arrest Situations**

Officers will notify the appropriate consular officials when foreign nationals are arrested, detained for more than 2 hours, or upon request of the detained foreign national.

In the event that a foreign national claims diplomatic immunity, officers may take reasonable steps to determine or verify the individual's diplomatic status. These steps may include examining documents, interviewing those in the company of the individual, and calling appropriate consular offices. Officers are required to abide by the terms of the Vienna Convention on Consular Relations. Officers will consult with the Weatherford College office of General Counsel, or with the appropriate prosecutor's office, before attempting to file charges against any individual claiming diplomatic immunity.

Numerous federal and state legislators have occasions to visit Weatherford College. During official legislative sessions, including travel to and from sessions, senators and representatives are immune from citations and arrests except for felonies and breaches of the peace. Officers shall consult with the Weatherford College office of General Counsel or with an appropriate prosecutor if guidance is needed when considering the arrest of a legislator.

A member of the Texas military forces enroute to or from active military duty may not be arrested except for treason, a felony, or an offense involving a breach of the peace (TXGC 437.223). For all other offenses, these persons may be issued a citation, or an arrest warrant may be obtained at a later date.

### **311.7 Arrests by Other Agencies**

When an arrest is made on Weatherford College property by another law enforcement agency, WCPD officers will render any assistance necessary. All follow-up investigations, booking, and filing of charges will be the responsibility of the arresting agency.

### **311.8 Required Notifications**

In the event that a faculty or staff member of Weatherford College is arrested on college grounds, the Weatherford College Office of Human Resources will be notified, as will the arrestee's department head.

In the event that a student of Weatherford College is arrested by this department, the Dean of Student Services will be notified. If the Weatherford College student is an on-campus resident,

the Director of Housing will also be notified. If the student is a member of a Weatherford College athletic team, the appropriate team Coach will also be notified.

## **GO 312: Care and Transport of Prisoners**

### **312.1 Purpose and Scope**

Department values mandate that persons taken into custody will not be abused, and the individual rights of prisoners must be protected at all times. Until arrested persons are accepted at the booking facility, their care and custody shall be the responsibility of the arresting/transporting officers.

### **312.2 Restraint Guidelines**

Unless it is impossible to do so, arrested subjects being transported in a police vehicle shall be handcuffed or otherwise restrained.

Prisoners will generally be restrained with hands behind the back. If handcuffs are used, they shall be double locked.

In case of advanced age, injury, physical disability, or other special circumstances where arrested persons are incapable of placing their hands behind their backs, the arresting officer may use flex cuffs, apply handcuffs with the hands to the front, or choose not to use a restraining device if there is no other option. In the event that a prisoner cannot be restrained, two officers should be used to transport the suspect as safely as possible.

Restraints should be drawn to a secure fit, but not so tight as to cause a restriction in blood flow. Officers shall not use restraints to punish, display authority, or as a show of force. Officers shall not handcuff a person to any part of a vehicle, unless exigent circumstances exist, and there is no other available option.

Positional asphyxia occurs when the physical position of the body interferes with normal respiration. Such a position can be induced by the application of one or more restraints. Officers in control of a restrained person must be alert to the physical position of the person in order to minimize the possibility of positional asphyxia. "Hog-tying" prisoners is strictly prohibited.

### **312.3 Prisoner Transport**

The law imposes a duty of care on the transporting officer to protect prisoners from injury.

Any vehicle used to transport a prisoner shall be checked for weapons and contraband before and after each prisoner transport.

All prisoners should be seatbelted and placed in an upright position while in a police vehicle. The prisoner must be under direct observation at all times to reduce opportunities for escape, disposal or destruction of contraband, or attack on the transporting officers.

Officers shall use a marked unit equipped with a safety barrier to transport prisoners whenever possible. The prisoner(s) shall be separated from the officer(s) by the safety barrier. If possible, officers will position the prisoner on the passenger side rear seat, so that the prisoner is not directly behind the officer, and can be viewed through the rear-view mirror.

If no WCPD vehicle with a safety barrier is available, officers may request an equipped unit from another agency to assist with the transport. If no such unit is available, two officers may transport a single prisoner in a vehicle without a safety barrier. In such cases, the prisoner should be seated in the front passenger seat of the vehicle, with seatbelt activated and hands cuffed to the rear. One officer will be seated directly behind the prisoner while the other officer drives. Prisoner control will be the responsibility of the officer seated behind the prisoner.

Prisoners will be transported without unnecessary delay. Officers shall notify dispatch when beginning and ending a prisoner transport. Starting and ending mileage will be reported to dispatch for opposite-sex prisoners.

While transporting prisoners, officers shall not respond to any calls for service or initiate any enforcement action. The only exception is if there is a serious and imminent risk of bodily injury or death to a third party if officers fail to act immediately.

### **312.4 Prisoners Requiring Medical Attention**

The intent of the department is to quickly provide each ill or injured prisoner with appropriate medical attention. Officers shall either request EMS or transport a prisoner to an appropriate medical facility when any of the following criteria are present:

- (a) Large lacerations (greater than one inch in length), which are less than 12 hours old.
- (b) Actively bleeding lacerations (greater than 3/4 inch).
- (c) Obvious deformity of bones of the extremities, or open fractures.
- (d) Swelling to the face to the extent vision/breathing is difficult or impaired.
- (e) Possible heart attacks. Symptoms of heart attacks would include the chest pains, pain extending down the left arm, and/or difficulty breathing.
- (f) Alcohol or drug intoxication to the extent that the prisoner is unconscious.
- (g) Any condition in which the prisoner cannot move their extremities.
- (h) Neck pain following an auto collision.
- (i) Overdoses.

Unconscious persons will not be transported to a jail facility. Officers shall request EMS to the scene for examination, treatment, and/or transport. Prisoners who become unconscious while being transported will be treated by EMS or transported to the nearest appropriate medical facility, whichever is most practical.

Prisoners who are examined by EMS, but who refuse treatment, may be transported to the booking facility. The refusal should be witnessed by another officer and/or medical personnel, and fully documented in the incident report. Whenever possible, the refusal should also be captured on BWC recording.

Prisoners transported by EMS will be accompanied by an officer inside the ambulance.

Officers arresting persons with outward signs of contagious disease, or who complain of known infections or disease, will isolate the prisoner from others, take appropriate precautions, and summon medical resources as appropriate.

### **312.5 Hospital Guidelines**

Once at a hospital, prisoners will be guarded by the transporting officer until relieved, or until the prisoner is treated and released by a physician, or admitted for medical attention.

If treated and released, the prisoner will then be transported to the jail, along with their medical discharge paperwork.

In the event that a prisoner is admitted to the hospital, the guarding officer will report this to a supervisor. In circumstances where prisoners are arrested for non-violent offenses and there is no reason to believe the prisoner will become violent, a supervisor may authorize the prisoner's release, provided there is sufficient identifying information available to obtain a warrant. Prisoners will not be released from custody if they are under arrest for an offense involving violence, or have outstanding warrants higher than a class C misdemeanor.

Prisoners not authorized or approved for release under this order shall be guarded until they are magistrated. A WCPD supervisor will contact the Sheriff's office in the appropriate jurisdiction to facilitate magistration.

No visitors will be admitted while the prisoner is being guarded. Officers guarding a prisoner will keep the prisoner in sight, unless a medical procedure requires otherwise, or unless relieved by another peace officer.

Supervisors shall rotate guard assignments at least every four hours.

### **312.6 Booking and Jail**

Officers shall secure all weapons and comply with all security safeguards while booking prisoners or conducting any type of business at any correctional/detention facility.

Officers shall ensure that jail personnel are advised of any security or safety risk presented by a prisoner.

Officers shall report any known medical problems with a prisoner to jail staff during the booking process.

Officers shall complete any required documentation/paperwork from the Sheriff's Office during the booking process.

Officers will complete all affidavits and other paperwork required to file criminal charges within the timeframe permitted by law and by local authorities.

## **GO 313: News and Media Relations**

### **313.1 Purpose and Scope**

The purpose of this order is to seek a balance between permitting the free flow of information to the public and the media while protecting both the prosecution's case and the rights of the accused from possible prejudicial publicity. Public information and positive media relations are an integral part of the operation of any public service agency and WCPD is no exception. Employees must maintain a good rapport with the public and the media, and deal with them in a courteous manner. WCPD is committed to informing the community and members of the news media of events that are handled by, or involve the Department.

### **313.2 Media Guidelines**

Any media request for information or access to a law enforcement situation shall be referred to the Chief of Police. The Chief of Police will determine whether the request is better handled by WCPD or the Weatherford College Public Relations Director.

Employees releasing information will ensure that the information is releasable and sheds a positive light on the department and Weatherford College.

In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

Officers should refrain from making comments to the media regarding any law enforcement incident not involving this department, without approval of the Chief of Police.

Media interviews with individuals who are in custody shall not be permitted without the approval of the Public Relations Director or Chief of Police, and expressed consent of the person in custody.

Media personnel are not exempt from any federal or state law, or any local ordinance and will be treated in the same manner as any other person violating the law. Media representatives will not be allowed to interfere with emergency operations and criminal investigations.

No member of this department shall be subjected to media visits or interviews without the consent of the involved employee.

Employees who encounter issues with the media should report this to the Chief of Police.

Employees will ensure that they comply with applicable law when releasing information to the media.

## GO 314: Security and Release of Records and Information

### 314.1 Purpose and Scope

The purpose of this section is to establish a comprehensive reference and procedure for the maintenance and release of department reports and records in accordance with applicable law.

This order does not prevent the Department from voluntarily making part or all of specific information available to the public, unless disclosure is expressly prohibited by law or the information is confidential under law (Tex. Gov't Code § 552.007; Local Gov't Code § 143.089).

### 314.2 Public Requests for Records Generally

Records created by this agency are subject to inspection and release to the public unless otherwise expressly exempt from public disclosure by statute or judicial order (Tex. Gov't Code § 552.001). Public requests for records of this Department shall be processed in accordance with Texas Government Code, Chapter 552, regarding public information and this order.

The department shall prominently display a sign that contains the basic rights of a person who requests public information, the responsibilities of the Department and the procedures for inspecting or obtaining copies of records (Tex. Gov't Code § 552.205).

The Public Information Act requires governmental bodies to respond promptly to written requests for information. "Promptly" means as soon as possible under the circumstances, and without unreasonable delay. Failure to comply with the Act may result in the mandatory release of information that otherwise could have been withheld. The statute also contains civil and criminal penalties for intentional violations.

Certain information pertaining to any of the items listed below will not be released unless authorized by the General Counsel:

- a. **Victim Information** – Victims of crimes who have requested that their identifying information be kept confidential (Texas CCP 57.02), victims who are minors and victims of certain offenses shall not be made public. It is a misdemeanor to release confidential information to unauthorized persons (Texas CCP 57.03).
- b. **Confidential Information** – Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation shall not be made public (Texas Government Code 552.108). Analysis and conclusions of investigating officers may also be exempted from disclosure. If it has been noted in any report that any individual wishes to protect their right to privacy under the Texas Constitution, such information may not be subject to public disclosure.
- c. **Specific Crimes** – Certain types of reports involving, but not limited to, child abuse/neglect (Texas Family Code 261.201), minors and juveniles (Texas Government Code 552.148 and Texas Family Code 58.106) and elder abuse (Texas Human

Resources Code 40.005) shall not be made public. Certain individuals may be allowed redacted copies of child abuse or neglect reports; these records may be released only in accordance with Family Code 261.201 (k) and (l).

### **314.3 Receiving Public Requests for Records**

Any member of the public, including the media, may request access to records of this Department by submitting a request for the record(s) sought in the following manner:

- a. In person at WCPD Office on Weatherford Campus – PLMA Building
- b. By email at [wcpd@wc.edu](mailto:wcpd@wc.edu)
- c. By mail at Weatherford College Police Department, 225 College Park Drive, Weatherford, Texas, 76086

Any form of receipt outside of the aforementioned will not be considered received.

### **314.4 Processing and Responding to Public Requests for Records**

The authorized receiving employee shall determine if the requested record is available and/or subject to any exemption from disclosure. The General Counsel may be consulted prior to the release of records if there is a question as to whether or not such release is lawful or required.

The requesting party may be required to pay in advance a reasonable fee for each record sought depending on the volume of the request, in accordance with Texas Government Code 552.261. The General Counsel will be advised in such cases, and will process the cost letter.

The Department shall not be required to create records which do not otherwise exist, however existing records may be copied in such a manner as to provide the requesting party with unrestricted portions of any record.

### **314.5 Outside Agency Requests for Records**

Outside agencies must use their agency letterhead to submit a request for records. Additionally, requests sent via email must come from a government email address, i.e., .gov, .org, .edu. Each request must identify the specific record sought.

If an outside agency which is assisting with a criminal investigation of an offense requests a copy of the offense report, the investigator may send the report to the requesting agency once the identity of the requestor has been verified.

### **314.6 Release of Body Worn Camera Video**

Chapter 1701 of the Occupations Code outlines the requirements for releasing information recorded by body worn cameras including recordings as evidence. An officer or other employee commits an offense (Class A Misdemeanor) if the officer or employee releases a recording created with a body worn camera without the permission of the Department.



Unless approved by the Chief and General Counsel, a recording created with a body worn camera and documenting an incident that involves the use of deadly force by a peace officer or that is otherwise related to an administrative or criminal investigation of an officer may not be deleted, destroyed, or released to the public until all criminal matters have been finally adjudicated and the longest retention period has been met.

When submitting a request for BWC video, a member of the public must provide the following information:

- a. The date and approximate time of the recording;
- b. The specific location where the recording occurred; and
- c. The name of one or more persons known to be a subject of the recording.

The Department may not release any portion of a recording made in a private space, or of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest, without written authorization from the person who is the subject of that portion of the recording or, if the person is deceased, from the person's authorized representative.

A BWC recording is confidential and may not be released to the public if the recording was not required to be made under department orders and does not relate to a law enforcement purpose.

### **314.7 Subpoena Duces Tecum**

Any subpoena duces tecum or discovery request should be promptly provided to a supervisor for review. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information. All questions regarding compliance with any subpoena duces tecum should be promptly referred to the General Counsel so that a timely response can be prepared.

### **314.8 Privacy and Security of Records**

Weatherford College Police Department employees shall not access, view, distribute, or allow anyone else to access, view, or distribute any hard copy or electronic record, file, or report, except in accordance with Department orders and with a legitimate law enforcement or business purpose, or as otherwise permissible by law.

## **GO 315: Bias Based Policing/Racial Profiling**

### **315.1 Purpose and Scope**

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

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

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

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

### **315.2 Definitions**

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

**Bias:** Prejudice or partiality based on preconceived ideas, a person's upbringing, culture, experience, or education.

**Biased-based policing:** Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

**Ethnicity:** A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.

**Gender:** Unlike sex, a psychological classification based on cultural characteristics or traits.

**Probable Cause:** Probable cause to arrest exists where facts and circumstances within officers' knowledge and of which they had reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that an offense has been or is being committed. It is not necessary that the officer possess knowledge of facts sufficient to establish guilt, but more than mere suspicion is required.

**Race:** A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently distinctive to group people under a classification.

**Racial profiling:** A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

**Reasonable suspicion:** The knowledge sufficient to induce an ordinary and prudent person to believe that criminal activity is at hand. The definition does not meet the standard of “probable cause.”

**Sex:** A biological classification, male or female, based on physical and genetic characteristics.

**Stop:** An investigative detention of a person for a brief period of time, based on reasonable suspicion.

### **315.3 General Responsibilities**

Officers are strictly prohibited from engaging in racial profiling or bias-based profiling. Specifically, officers are prohibited from stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person’s race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes.

Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.

Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.

Officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a stop may be crucial to a person's perception of fairness or discrimination.

Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.

All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.

All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Officers shall provide information on the complaint process when requested.

When feasible, personnel should offer explanations of the reasons for enforcement actions or other decisions that bear on an individual's well-being

### **315.4 Supervisory Responsibilities**

Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties and those of their subordinates. Supervisors shall identify and correct instances of bias in the work of their subordinates.

Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.

Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are critical to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.

Supervisors are reminded that biased enforcement of the law engenders not only mistrust of law enforcement, but increases safety risks to personnel as well as exposing the employee(s) and department to liability.

Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates if the supervisor knew, or should have known, of the subordinate's actions.

Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable. Any enforcement action that begins as a consensual encounter will also have the circumstances of the initial encounter documented.

Supervisors shall facilitate the filing of any complaints about law- enforcement service.

### **315.5 Disciplinary Consequences**

Appropriate corrective action shall be taken against officers employed by this agency who, after an investigation, are shown to have engaged in racial profiling and/or bias based policing, or who have otherwise violated this general order. Such disciplinary/corrective action may include dismissal.

### **315.6 Training**

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

### **315.7 Complaints**

The department shall publish “How to Make a Complaint” documents and make them available at all campuses regularly staffed by WCPD. The information shall include, but is not limited to, the email, physical address, and telephone contact information for making a complaint or a compliment regarding an employee:

Email: [wcpd@wc.edu](mailto:wcpd@wc.edu)

Physical Address: 225 College Park Drive, Weatherford, Texas, 76086

Telephone: 817-598-6316

Whenever necessary, the media will be used to inform the public of the department’s policy and complaint process. The department’s complaint process and its bias-based policing/racial profiling policy will be posted on the college’s website.

Complaints alleging incidents of bias-based policing or racial profiling will be thoroughly investigated. Complainants will be notified of the results of the investigation when it is completed.

### **315.8 Statement on Data Collection and Motor Vehicle Stops**

The Weatherford College Police Department does not regularly engage in motor vehicle stops as defined by Texas CCP article 2.132. WCPD has made exactly zero motor vehicle stops since the year 2012. Unless or until WCPD begins regularly making motor vehicle stops, WCPD will have no data to report per Texas CCP articles 2.132, 2.133, and 2.134.

## **GO 316: Traffic Control and Enforcement**

### **316.1 Purpose and Scope**

This order provides guidelines to WCPD personnel who engage in traffic control operations on and off Weatherford College property. This order also articulates when WCPD officers may engage in traffic enforcement and motor vehicle stops.

### **316.2 General Traffic Control Guidelines**

WCPD Officers routinely engage in traffic control operations on and near campus for planned special events and unexpected traffic problems. When directing traffic, WCPD officers will wear brightly colored and reflective glow vests or jackets whenever it is practical to do so.

### **316.3 Traffic Enforcement and Motor Vehicle Stops Restricted**

WCPD exclusively patrols private property owned by Weatherford College. Actions which may constitute a violation on public roadways generally are not enforceable on private property. As such, WCPD does not regularly engage in traffic enforcement operations or motor vehicle stops.

Whether on or off campus, officers will only initiate a motor vehicle stop when in a marked patrol unit, and when there exists an obvious and imminent risk to life or property. Examples of such situations include but are not limited to suspected DWI or reckless drivers.

If a WCPD officer initiates a motor vehicle stop, the officer will generate a police report, regardless of the outcome of the stop. The report will include the following information:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section [1.07](#), Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop

### **316.4 Assisting Other Agencies**

WCPD officers are authorized to assist other agencies with traffic control at major incidents which occur near Weatherford College property. WCPD officers are authorized to respond as backup on motor vehicle stops initiated by other agencies when WCPD units are the closest or only units available. With approval of the Chief, WCPD officers may assist with traffic control at special events when requested by our partner agencies, as outlined in GO 319.3.

## **GO 317: Crash Investigation and Reporting**

### **317.1 Purpose and Scope**

The public safety responsibilities of law enforcement include responding to crashes in order to provide aid and assistance, document the incident, and identify possible criminal activity. Therefore, officers shall be dispatched to all reported crashes on college property.

### **317.2 Crash Investigation**

During crash investigations, officers should:

- (a) Identify and interview drivers and witnesses.
- (b) Provide first aid as necessary, and request EMS if needed.
- (c) Assist drivers with exchanging information, and verify that the correct information is provided.
- (d) Determine if any crimes or law violations have occurred, and take any appropriate enforcement action.
- (e) Identify and protect items of evidentiary value.
- (f) Assist drivers with clearing their vehicles from the scene, and call a towing company upon request or if an impound is warranted, per GO 318.3.

- (g) Notify CBRE or appropriate authority of any damage to the roadway, signs, utilities, or college property.
- (h) Document the incident as necessary.

Officers should be mindful that most crashes WCPD responds to will be on college property, rather than public roadways. As such, possible enforcement actions are limited.

## **GO 318: Disabled Vehicles, Stranded Motorists, Vehicle Towing, and Impound**

### **318.1 Purpose and Scope**

This order provides guidelines to department personnel to check on and offer to provide assistance to disabled or stranded motorists on Weatherford College property. It also provides the procedures for towing a vehicle by or at the discretion of WCPD. The safety of the vehicle occupants, the officers, and other motorists is the first priority.

### **318.2 Officer Responsibility**

When an officer is made aware of a disabled vehicle or stranded motorist, the officer should make a reasonable effort to provide assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the availability of department resources and the vulnerability of the disabled motorist. Department personnel may provide minor mechanical assistance, such as assisting with flat tires or jump starts, to a disabled vehicle. Officers may push a disabled vehicle to a safe location using the push/buddy bumper of a police vehicle. Officers may use specialized equipment to circumvent vehicle security measures and locks in order to open mistakenly locked vehicles. Before opening a locked vehicle, or pushing a vehicle with another vehicle, officers will require the involved vehicle owner/driver complete a waiver of liability form. The signed waiver of liability form will be submitted to WCPD administrative staff, and retained digitally.

### **318.3 Towing and Impound Guidelines**

Vehicles shall be towed using an authorized wrecker when disabled, impounded, or when requested by the driver or owner. Officers will request wreckers through Weatherford PD dispatch. If the vehicle is not being impounded, and the driver/owner has a wrecker preference, officers will request the preferred wrecker. If the driver/owner has no preference, officers will request the next wrecker on rotation.

Officers may impound vehicles without supervisor approval when the driver is arrested, or when the vehicle constitutes a traffic hazard. Officers shall obtain approval from a supervisor before impounding vehicles for other reasons, such as abandoned vehicles, recovered stolen vehicles, or parking violations. Officers will complete a police report any time a vehicle is impounded. The report will include the facts and circumstances which led to the officer's involvement and decision to impound, the vehicle's information, the driver's identifying information if known, and the tow company which removed the vehicle.

When a vehicle is towed or impounded, officers will complete a tow sheet, and deliver the ignition key to the wrecker driver, if available.

### **318.4 Vehicle Inventory**

In incidents in which a vehicle is impounded, officers will conduct an inventory of the vehicle for damage and items of personal property, unless conducting such an inventory would unreasonably jeopardize the evidentiary/forensic integrity of a vehicle in a critical investigation.

Officers conducting a vehicle inventory must have their BWCs activated.

The scope of the inventory should include:

1. The exterior for body damage.
2. Those places in a vehicle where items of personal property may be located, including but not limited to the passenger compartment, trunk, center console, and containers. Locked containers may be opened if a key or combination is available, or forced open with the approval of a supervisor.

All vehicle damage and personal property of value will be listed on the tow sheet, and/or in the police report. Officers should verbally narrate their BWC footage, taking note of any damage or items of note during the inventory, including property descriptions and locations.

Conducting a vehicle inventory is a caretaking function intended to protect the owner's property, identify any potentially hazardous or materials, and to protect the officers and tow driver against claims or disputes over lost or stolen property. The vehicle inventory is not intended to be an investigative search, and using the inventory function as a pretense to conduct an otherwise unlawful search is strictly prohibited.

If an item of contraband, or fruit or instrument of a crime is found during a vehicle inventory, it may be seized, and appropriate enforcement action may be taken.

## **GO 319: Outside Agency Assistance**

### **319.1 Purpose and Scope**

The purpose of this order is to provide guidance to officers when requesting assistance or responding to requests for assistance from other agencies.

It is the policy of this department to provide assistance whenever possible, consistent with the applicable laws and orders of this department, when another law enforcement agency requests assistance with an arrest or detention. This department may also request assistance from other agencies when needed.

Any WCPD officers providing assistance to an outside agency will contact the other agency's highest-ranking officer on scene once practical to do so. WCPD officers will not be placed under the command of any outside agency, unless previously approved by the WCPD Chief of Police.



### **319.2 Public Requests for Service in Another Jurisdiction**

All incoming calls from the public requesting police assistance at a location outside the geographical boundaries of Weatherford College property shall be immediately referred to the proper agency. This order does not prohibit officers from responding immediately to emergencies occurring in close proximity to Weatherford College property, when there is an imminent threat of property damage or bodily injury to any person.

### **319.3 Requests for Non-Emergency Assistance**

Whenever possible, WCPD officers will respond immediately to outside agency requests for minor nature assistance, such as backup on traffic stops, or identification inquiries. No supervisor approval is needed for WCPD officers to assist in these circumstances.

Requests for major or specialized non-emergency assistance, which will require the protracted attention of WCPD personnel, must be approved in advance by the Chief. An example of this type of assistance would be officers assisting with traffic or crowd control at major events. The Chief may require formal documentation from the outside agency involved, and shall consult with the Weatherford College legal department if needed, before approving such requests.

### **319.4 Requests for Emergency Assistance**

If a WCPD officer becomes aware that another agency requires immediate emergency assistance, the WCPD officer may provide such assistance. No supervisory approval is required. Examples include but are not limited to officers from other agencies involved in physical altercations or major crashes.

Formal requests for emergency assistance are normally made when another agency's resources have been overwhelmed, or need to be supplemented (e.g., disasters, hostage situations, explosive devices, mass casualty events). In such cases, on-duty WCPD officers may respond immediately if requested. The Chief will be notified as soon as it is practical to do so. The Chief will determine if additional WCPD resources beyond those immediately available will be committed.

## **GO 320: Off-Duty Law Enforcement Actions**

### **320.1 Purpose and Scope**

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk, and must be done with careful consideration. This order is intended to provide guidelines to officers of the Weatherford College Police Department with respect to taking law enforcement action while off-duty.

Nothing in this order prohibits an officer from taking reasonable actions to protect the officer's own property.

This order does not apply to officers working in an approved secondary employment capacity.

### **320.2 Policy**

Initiating law enforcement action while off-duty is generally discouraged, particularly when officers are outside their jurisdiction. Officers must remember that their authority to arrest may be limited based upon their jurisdiction. Reporting to the appropriate law enforcement agency and safe monitoring of suspected criminal activity is favored.

Officers should not attempt to initiate enforcement action when witnessing minor crimes; Officers are not expected to place themselves in unreasonable peril.

Officers who become aware of an incident or circumstances that reasonably place any person in imminent threat of bodily injury or death may take reasonable action to minimize the threat.

Non-sworn personnel should not become involved in any law enforcement incident while off-duty, except to notify the local authorities and remain at the scene, if safe to do so. This order does not prevent a civilian employee from taking action as a private citizen as authorized by state law.

### **320.3 Decision to Intervene**

Generally, off-duty officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

Officers should take into consideration the following factors when making a decision on whether or not to intervene:

1. The tactical disadvantage of being alone
2. Inability to communicate directly with incoming units.
3. Lack of equipment, such as handcuffs, OC, or Taser.
4. Lack of cover.
5. Potential risk to bystanders if the officer was to intervene.
6. Unfamiliarity with the surroundings.
7. The potential for the off-duty officer to be misidentified by responding officers or members of the public.

### **320.4 Intervention Procedure**

If involvement is reasonably necessary, an officer should call or have someone else call 911 to request immediate assistance if possible. The call-taker should be informed that an off-duty officer is on-scene and provide a description of the officer.

Officers should clearly identify themselves as police officers to those involved in the situation, if practical to do so.

Officers should fully cooperate with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

In addition to contacting the appropriate agency, any off-duty employee who engages in any law enforcement activity shall notify, as soon as it is practical to do so, the employee's immediate supervisor.

### **320.5 Incidents of Personal Interest**

Unless there is an exigent circumstance, employees shall refrain from handling police incidents of personal interest, such as those involving family members, friends, or neighbors of the officer. When practical, officers should report these matters to 911 so that on-duty officers can respond.

Offenses which may be committed against the employee, members of the employee's family, or a business interest of the employee will be reported to the agency with proper jurisdiction for the investigation of such offenses. Normal filing procedures will be followed to prevent any potential for abuse of authority. Employees shall not maintain continued involvement in any criminal case, nor personally file any criminal charge in a court of law, against any person for criminal offenses against the employee, any member of the employee's family, or which involves any business in which the employee has a proprietary interest.

### **320.6 Firearms**

Officers of this department may carry firearms while off-duty in accordance with federal and state law and department general orders.

Any officer wishing to carry a firearm while off-duty is authorized to do so as either a law enforcement officer as allowed by this order, or as a civilian under the authority of a state-issued license, not both.

Officers shall carry their department issued badge and identification card when carrying firearms off-duty under the authority granted to a law enforcement officer.

An officer carrying off-duty under the authority of a state-issued license, whether concealed or open, will not display their WCPD badge or ID, or use or carry any WCPD equipment, including their issued firearm.

Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage, or taken any drugs, that would tend to adversely affect the officer's senses or judgment.

## **GO 321: Residential Lockouts**

### **321.1 Purpose and Scope**

From time to time, CPOs and Security Officers may be asked to assist students who find themselves locked out of on-campus housing. This order will provide guidance on how to handle such situations.

### **321.2 Lockout Policy for Campus Police Officers**

If a sworn officer is approached by a student who is locked out of an on-campus dorm apartment, the officer shall take the following steps:

1. Ask the student if they have already called the on-call RA (Resident Advisor). Instruct the student to call the on-call RA if this has not been done.
2. If the student cannot reach the on-call RA, the RA will be called by the officer from the Duty Phone. If the RA can be reached, it shall be the RA's responsibility to assist the student.
3. If the on-call RA cannot be reached by either the student or the officer, the officer shall call the Housing Director from the Duty Phone. If the Housing Director is readily available, the Housing Director will assist the student.
4. If the Housing Director is not reachable and available, the officer may then unlock the door to the residence for the student, provided that the student's identity and residence can be verified.

If the student and their assigned residence is personally known to the officer, no further verification is needed. If the student or his/her apartment assignment is unknown to the officer, these shall be verified by the following methods:

1. Photo ID
2. Cross reference name and dorm assignment on housing list

If the student's identity or housing assignment is still in question, the officer may open the door to the apartment, then require the student to provide paperwork from within the apartment which confirms their residence.

Officers will record their interactions with students during lockouts via body-worn camera (BWC). Officers will activate their BWC once they are on-scene and have been asked to assist, and the BWC will remain activated until the situation is resolved.

Provided the above procedures are followed, and there are no suspicious or unusual circumstances, officers need not write a police report for simply assisting a student with a lockout. However, any time officers must unlock a residence for a student, officers shall write an email to the Housing Director, Operations Sergeant, and Associate Dean for Student Development explaining the situation. The email will include which students were involved, whether or not their key was inside the apartment, and the date and time of the incident. This email will be sent by the end of the officer's work shift.

### **321.3 Lockout Policy for Security Officers**

Non-sworn Security Officers are not equipped with body worn cameras, and do not enjoy the legal protections of Peace Officers. As such, Security Officers should not unlock the doors to residences for students who state they have been locked out.

If a Security Officer is approached by a student who has been locked out of an on-campus dorm apartment, the Security Officer should follow the first three steps in GO 321.2. If the housing director and on-call RA are unavailable, the Security Officer should call the on-call CPO for assistance. The on-call CPO may then call the Associate Dean for Student Development. If the dean is unavailable, the on-call officer shall report to campus and handle the situation in compliance with GO 321.2.

## **Chapter 4: Field Response, Investigations, and Reporting Policies**

### **GO 400: Officer Response to Calls**

#### **400.1 Purpose and Scope**

The department has a responsibility to protect life and property and to provide service to our campus community. To fulfill this obligation, it must provide an appropriate response to calls. Officers should be ever mindful that they have a responsibility to use caution, good judgment, and due care.

#### **400.2 Emergency Response and Vehicle Operations**

Officers responding to an emergency call shall do so without delay, and may use appropriate WCPD vehicles to do so. Officers may utilize emergency lights and/or sirens when there is a reasonable need to do so. When operating a vehicle with emergency equipment thus activated, officers may exceed speed limits, proceed through traffic signals and stop signs, and disregard laws governing direction of movement and turning. Officers must nonetheless use caution, good judgement, and due care whenever operating a vehicle.

Responding with emergency lights and/or siren does not relieve the operator of an authorized emergency vehicle of the duty to act as a reasonably prudent emergency vehicle operator in like circumstances (Tex. Transp. Code § 546.005).

Officers shall exercise sound judgement and care with due regard for life and property when responding to an emergency call (Tex. Transp. Code § 546.001).

### **GO 401: Field Investigations**

#### **401.1 Purpose and Scope**

Law enforcement operations consist of many diverse activities which are directed toward the Department's objectives. The purpose of this order is to improve coordination and efforts of personnel when conducting field investigations.

#### **401.2 Initial Response and Investigation**

Officers responding to an incident shall ensure that all persons are safe and anyone in need of medical attention receives assistance.

The primary officer shall make a preliminary determination if a crime has been committed. If a crime has occurred, the guidelines below should be followed. If no crime has occurred, officers will determine what other actions may be necessary, and what resources may be needed.

Generally, officers assigned to calls or discovering incidents requiring a report shall be responsible for the preliminary investigation and required paperwork.

### **401.3 Requesting Additional Resources**

WCPD is a small law enforcement agency, which lacks the investigative resources enjoyed by larger agencies. WCPD has worked diligently to foster positive working relationships with partner agencies at the federal, state, and local levels. WCPD will request investigative assistance from our partner agencies as necessary or required.

Support from partner agencies will be requested during the initial response to all:

1. Homicides, suicides, and suspicious deaths.
2. Officer-involved shootings, deaths, or serious injury incidents.
3. Riots or civil unrest.
4. Active shooter or other active attacks against the college.
5. Fatality crashes.
6. Kidnappings.
7. Bombings, explosive devices (beyond commonly available fireworks), and bomb threats when a suspected device is located.
8. Clandestine laboratories or major narcotics investigations.
9. Incidents in which an exigent mobile phone “ping” may be required.

Investigative support from partner agencies may be requested on incidents not included in the above list with the approval of a WCPD supervisor.

### **401.4 Routine Command at Police Incidents**

Routine command at police incidents is handled as follows:

Generally, the highest-ranking officer, or senior officer if of the same rank, should assume command of the scene and operations until relieved by a supervisor, or until the conclusion of the incident. Any officer may take command of the scene and operations if the current officer in charge is unable to perform the required duties. Supervisors may be held accountable for failure to take command if unfavorable developments occur which could have been prevented had they assumed control of the scene.

### **401.5 Crime Scene Management**

Officers arriving at a crime scene are often faced with the immediate need to search for and render aid to victims as well as determine if suspects are present and continue to pose a threat. Such searches are generally limited to “plain view” in the immediate area unless exigent circumstances exist. Once officers are satisfied that no additional suspects or persons in need of aid are present, exigent circumstances will likely cease to exist. Officers should then secure the scene and conduct no further search until proper authority for the search is obtained.

While consent to search should be obtained from authorized individuals where possible, it may be prudent to obtain a search warrant in the case of serious crimes or major investigations.

The primary officer or designee has the following responsibilities when a crime scene is present, which requires processing:

1. Initiate a crime scene log, to record the name and time of all person entering, or assigned to, the crime scene. The form will be retained in the case jacket for the incident.
2. Establish an initial perimeter around the crime scene with crime scene tape. The taped area should be large enough to include all apparent evidence.
3. Determine if additional inner/outer perimeter(s) need to be set up. These may be used to create space for witnesses or the media, as a safety measure for officers, or to further protect the crime scene from contamination.
4. Protect items of apparent evidentiary value, and ensure that the scene is processed accordingly.

At major crime scenes, employees will ensure that items identified as evidence are not tampered with in any way prior to being photographed and collected. Employees will only handle evidence at the direction of a supervisor or the investigator in charge.

Weapons at major crime scenes will only be moved if they pose a threat to persons at the scene. If the scene has been properly secured, a weapon will not generally pose a threat and can be left where it is found.

Employees will identify any possible sources of video or photographs at the scene and will determine if they may contain any pertinent evidence. Any information regarding sources of pertinent evidence shall be documented in the police report.

#### **401.6 Securing and Identification of Witnesses**

Officers should attempt to locate any witnesses to an offense when warranted by the seriousness of the incident. Such potential witnesses to an incident may be lost or the integrity of statements compromised with the passage of time.

Witnesses should be separated from the public, media, and other subjects on-scene as the situation and personnel allow.

Officers should obtain necessary identification from witnesses and an initial account of what they observed.

Any potential witness who is unwilling or unable to remain available for a formal interview, or who refuses to be identified should not be detained absent reasonable suspicion or probable cause to detain or arrest.

In major cases, witnesses willing to provide formal interviews should be asked to meet at a suitable location where an investigator may obtain a recorded and/or sworn written statement. Such witnesses may be transported by department personnel if needed.



## **401.7 Eyewitness Field Identification of Suspects**

If a suspect unknown to victims and/or witnesses is apprehended within a reasonable time (2 hours) of the offense, it is still preferable to conduct a lineup per GO 403.6 when practical to do so. If administering a lineup is impractical or impossible, and there exists an immediate need to arrest the suspect, a field identification during the initial response may be authorized by a supervisor.

The following guidelines should be followed when administering a field identification:

1. A full and detailed description of the suspect shall be provided by the witness before the witness/victim observes the suspect.
2. The victim will be transported to the location where the suspect is being detained.
3. Officers shall take measures to reduce potentially damaging or prejudicial inferences that may be drawn by the witness/victim. These measures include removing handcuffs from the suspect, and removing the suspect from police vehicles, but only if it is safe to do so. Officers shall also avoid actions or statements that could contaminate witness perception or judgement.
4. Steps should be taken to avoid the suspect getting a clear view of the victim/witness whenever practical to do so. These steps include having the victim/witness remain in a police vehicle, and/or shining a bright light on the suspect to reduce his/her ability to see the victim/witness.
5. If there are multiple suspects, they should be separated, and each suspect should be viewed individually by witnesses/victims.
6. Field identifications will be recorded on both video and audio.
7. The Field Identification Instructions Form will be used during the administration of all such field identifications.

## **GO 402: Incident Reporting and Documentation**

### **402.1 Purpose and Scope**

Documentation is a major part of each officer's job. Reports may be used to document information to assist investigators in follow-up investigations, and citations are used to document law enforcement actions and/or contacts with the public.

### **402.2 General Guidelines**

Sufficient information should be included in any form of documentation to assist in prosecution, refresh an officer's memory during testimony, and comply with legal requirements.

Officers will not write an offense report when they are the victim of a crime. The victim officer(s) will write a supplement. The offense report will be written by an officer who is not the victim.

If in doubt as to whether or how an incident should be documented, employees may consult with a supervisor.

Employees have the responsibility to write clear, factual, and complete reports.

WCPD reports will be assigned sequential numbers in the following format: WCYYYY-####. For example, the first report of year 2023 will be WC2023-001, the next will be WC2023-002 and so on.

### **402.3 Report Writing**

All reports should accurately reflect:

1. The identity of the persons involved.
2. All pertinent information gathered.
3. Any actions taken.
4. Any property which the employee takes possession of, with an explanation/justification for taking said property.

Employees shall not suppress, conceal, or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing.

Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

Employees should employ proper sentence structure and grammar to the best of their ability when writing reports.

Employees will endeavor to write reports as promptly as is practical after an incident, preferably by the end of the shift in which the incident occurred.

All reports will be reviewed and approved by a supervisor before being considered finalized. Supervisors will consult with employees when corrections, clarification, or additional information is needed. Once any outstanding issues are addressed, the supervisor will approve the report.

### **402.4 Case Files/Jackets**

A case jacket will be created for every WCPD report. The case jacket will consist of a manila folder, with the WCPD report number and type of incident written on the raised tab.

Case jackets will contain a hard copy of the incident report, along with any ancillary documents related to the case.

Once completed and reviewed, case jackets will be secured in a locked file cabinet.

Active case files will be maintained by the assigned personnel. Case files/jackets will be kept from public view, and locked or otherwise secured at the end of the assigned employee's shift. Completed case files/jackets shall be retained and secured in the designated file cabinet until they are purged in accordance with established record retention schedules.

## 402.5 Case Clearance and Disposition

The proper clearance and disposition of a case is an important part of case management and vital for accurate reporting.

Reports shall be given one of the following clearance statuses as outlined in this section:

- (a) Cleared by Arrest (or Citation)
- (b) Cleared Exceptionally
- (c) Suspended
- (d) Unfounded
- (e) Cleared Administratively

**Cleared by Arrest (or Citation):** This status should be used if any person involved in the report is issued a citation or arrested and charged with an offense related to the initial incident in question. In reports where multiple incident types exist, if one incident type results in an arrest or citation, the main disposition for the report will be *Cleared by Arrest (or Citation)*, even if some of the incident types are not cleared by arrest. Please note that this does not apply if the arrest is only for an outstanding warrant not related to the current incident.

**Cleared Exceptionally:** This status is only used when **all** the following criteria have been met:

- (a) The identity of the offender is known, **and**
- (b) Probable cause exists to support the filing of charges, **and**
- (c) There is nothing preventing the arrest of the suspect, **and**
- (d) There exists some reason outside law enforcement control that prevents arresting, charging, or prosecuting the offender.

Examples of conditions that would satisfy “d” above include death of the suspect, denied extradition, refusal of a victim to cooperate, or a prosecutor declining the case. When a case is cleared exceptionally, the reason for such clearance will be clearly articulated in the offense report.

**Suspended:** This status is used when there is insufficient information to support the filing of charges, and investigative leads are exhausted or it is determined that further investment of department resources would be inefficient or unproductive.

**Unfounded:** This status is used when the investigation indicates that no offense occurred or was attempted.

**Administrative Resolution:** This status is used for reports that are non-criminal in nature, informational reports, reports involving incidents which occurred outside WCPD jurisdiction, or incidents in which another agency has assumed the lead role. This status is also used for cases involving Weatherford College students when administrative sanctions are applied in lieu of criminal charges.

## **GO 403: Follow-Up Investigations**

### **403.1 Purpose and Scope**

Criminal investigations are a complex, multi-step process that require employees to be aware of, operate within, and comply with federal, state, and local regulations so as not to prejudice the case or jeopardize the prosecution of the defendant. It is the police of WCPD to comply with the highest standards of legal and professional conduct when performing a criminal investigation. This order provides guidelines to ensure that criminal investigations are conducted under legal authorization using extraordinary safeguards to protect innocent persons from unauthorized invasions of privacy.

### **403.2 Follow-Up Investigations**

Follow-up investigations may include, but are not limited to:

1. Reviewing and analyzing initial reports.
2. Reviewing WCPD records and databases.
3. Seeking additional information from complainants, victims, witnesses, informants, employees, and other persons.
4. Interviews and interrogations.
5. Updating stakeholders on the progress of the case.
6. Soliciting assistance from outside agencies or entities.
7. Planning, organizing, and conducting searches.
8. Collecting physical evidence.
9. Identifying and apprehending suspects.
10. Checking criminal histories.
11. Determining the involvement of suspects in other crimes.
12. Reviewing results of forensic examinations.
13. Preparing cases for court presentation.
14. Assisting with prosecution.

### **403.3 Case Assignment and Responsibility**

In cases where follow-up investigation is required, the Operations Sergeant or another supervisor shall determine which employee will be assigned as lead investigator. The assigned employee will be responsible and accountable for any additional investigation.

Generally, the officer who took the original report will typically be assigned as lead investigator for follow-up. That being said, supervisors should take into account the level of expertise, specialized skill, knowledge, and abilities of employees before assigning a case. If the case involves an offense listed in GO 401.3, an investigator from an outside agency will likely be assigned as lead for follow-up. WCPD will still support and remain actively engaged in these investigations.

#### **403.4 Interviews, Interrogations, Statements, and Confessions**

The purpose or objective of a statement of confession is to take lawful and accurate statements that corroborate the elements and details of an incident. In doing so, investigators and supervisors will be cognizant of such factors as the mental and intellectual abilities of the subject being interviewed and the duration of the interview itself. Suspects' written and oral statements or confessions should not be utilized as the sole basis for the filing of charges. Any statement or confession should be corroborated by other legally obtained evidence or verified in an appropriate manner.

Employees should attempt to record all custodial suspect interviews and interrogations. If such recording is not possible, employees will document this in the incident report, and will explain why no recording was possible.

Written statements or confessions should be in the suspect's own words, but may be typed by the officer taking the statement or confession.

No statement or confession made by an adult as a result of a custodial interrogation is admissible as evidence unless the suspect has first been administered the Miranda warning and knowingly, intelligently, and voluntarily waives those rights. Once the person requests an attorney, or indicates a desire for legal representation, the interview or interrogation will be discontinued immediately. If a suspect makes an ambiguous statement regarding legal counsel, officers may ask for clarification before making a decision to terminate the interview.

If a suspect does not speak English, or indicates that they have trouble understanding English, the Miranda warning will be administered in the person's primary language. Written confessions should be written only in a language understood by the suspect.

Statements and confessions should be read back to the person giving the statement or confession, or the person should be allowed to read the statement or confession in its entirety prior to swearing to and signing the document.

Oral confessions made in non-custodial interviews of juveniles are admissible if the statement is given voluntarily and not as a result of coercion, threats, promises, or an extensive interview with the oral admission being the primary objective. To ensure the non-custodial statement is given voluntarily, personnel shall release the juvenile to a parent or guardian after taking the statement. Personnel shall comply with state law and GO 309 when interviewing or interrogating a juvenile.

All attempts to obtain an incriminating statement or confession, whether successful or not, shall be fully documented in the associated incident report.

#### **403.5 Lineups and Eyewitness Identification Procedures**

Eyewitness identification is only one element of a successful criminal investigation. The purpose of this order is to outline the proper protocol for eyewitness identification procedures, thus maximizing the reliability of identifications, exonerate innocent persons, and establishing evidence that is reliable and conforms to established legal procedure.

Sequential photo lineups are the preferred method for suspect identification during follow-up investigations. Live lineups and/or simultaneous lineups are allowed, but only with supervisor approval, and only when it is impractical to conduct a sequential photo lineup.

Since WCPD does not regularly administer such lineups, WCPD will staff cases where a lineup is required with the County or District Attorney's office prior to administering the lineup, whenever it is practical to do so. If practical to do so, WCPD will request the assistance of a partner agency with investigative specialists who can generate and administer the lineup. Ideally, the person who administers the lineup should not know which photograph displays the image of the suspect.

Lineups are generally not required when the suspect is previously known to the victim. When in doubt as to the necessity of a lineup for investigative purposes, officers should consult with a supervisor and/or a prosecutor.

See also GO 401.7 Field Identification of suspects.

### **403.6 Surveillance and Security Camera System**

Personnel will not violate the right to privacy, or any other rights, of any individual while conducting surveillance.

WCPD does not currently possess resources for complex or long-term surveillance, which requires specialized training or equipment. WCPD may request assistance from our partner agencies if such surveillance is needed.

WCPD may access the Weatherford College video camera system for surveillance or other purposes whenever needed to further a criminal, internal, or administrative investigation. All college security cameras are placed in public spaces where there is no expectation of privacy. The Weatherford College video camera system will not be accessed for purposes that are not work-related.

WCPD will consider requests from other college departments for information from the video system on a case-by-case basis. As long as such information can be provided lawfully and ethically, WCPD will provide the information. The Weatherford College legal department will be consulted on such matters when necessary.

### **403.7 Polygraph Examinations**

WCPD does not have an internal capability to administer polygraph examinations. If a polygraph examination is needed to further an investigation, WCPD will contact our partner agencies for assistance. No polygraph examination will be administered without approval of the Chief of Police. Any payment for a polygraph examination will be arranged prior to the actual examination.

## **GO 404: Civil Disputes**

### **404.1 Purpose and Scope**

This order provides employees of WCPD with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (civil matters), with the goal of minimizing any potential for violence or criminal acts.

Please note that GO 410 addresses specific legal mandates related to domestic violence court orders. References in this order to “court orders” apply to orders of a court which do not require arrest or enforcement by the terms of the order or by Texas law.

Also note that persons issued a Writ of Retrieval from a justice court should be referred to the applicable Sheriff’s Office or Constable’s Office per Texas Property Code Section 24A.001.

### **404.2 Policy**

WCPD recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, officers of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity, and maintaining the peace. When at the scene of civil disputes, officers will remain impartial, maintain a calm presence, give consideration to all sides, and refrain from giving legal or inappropriate personal advice.

### **404.4 Court Orders**

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor or prosecutor prior to making an arrest, if circumstances permit.

If a person appears to be violating the terms of a court order, but is disputing the validity of the order or its applicability, the investigating officer should document the following:

1. The person’s knowledge of the court order and whether proof of service exists.
2. Any specific reason or rationale the involved person offers for not complying with the terms of the order.

If possible, officers should make a copy of the court order, and include it with the report and/or case jacket. Officers should follow up with the applicable court and/or prosecutor following the resolution of the incident.

### **404.5 Standby Requests for Property Retrieval**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be

advised that items which are disputed will not be removed. The officer may advise the person to seek private legal advice as to the distribution of disputed property.

Officers should accompany the person to the location of the property. Officers should ask if the property in question is present, and if the other party will allow removal of the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to remove the items. Officers will not order the other party to allow entry or the removal of disputed items. If there is a restraining or similar order against the person requesting assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, and is the property owner or lawful tenant, officers will not allow entry into the location or the removal of property from the location.

#### **404.6 Vehicles, Real Estate, and Other Personal Property**

Possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a court order.

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review receipts and documents provided by parties, or available databases such as vehicle registration, but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should avoid enforcement action unless a crime is apparent. The people and the vehicle or property involved should be identified and the incident documented properly.

## **GO 405: Warrants**

### **405.1 Purpose and Scope**

The purpose of this order is to establish guidelines for filing arrest and search warrants.

### **405.2 General Guidelines**

It is recognized that WCPD does not regularly file arrest or search warrants. Because of this, it is important that officers consult with our partner agencies and/or local prosecutors when procedural questions arise.

Officers will not obtain an arrest or search warrant without first obtaining approval from a supervisor.

WCPD officers will coordinate with applicable partner agencies before attempting to serve an arrest warrant or search warrant at a location which is not on Weatherford College property.

Officers will complete any additional documentation or paperwork required or requested by the court or jurisdiction where the arrest or search warrant is obtained. Officers will file all necessary paperwork with the appropriate clerk in whatever court or jurisdiction the warrant is obtained.



### **405.3 Arrest Warrants**

Unless exigent circumstances exist, officers should complete the investigation of an alleged offense before obtaining an arrest warrant.

Weatherford College has campuses in multiple counties. Depending on the county in which the offense occurred, personnel will prepare either a complaint or probable cause affidavit for presentation to the appropriate magistrate in the county where the offense occurred.

Affidavits/complaints for any case of a complex nature will be presented to a prosecutor from the applicable county where charges are to be filed, if available, for review and advice on the proper wording or text of the affidavit/complaint prior to the magistrate's review.

Officers will submit the suspect's criminal history, and any other ancillary information requested, along with the affidavit/complaint to the magistrate for review.

### **405.4 Search Warrants**

All affidavits for search warrants will be reviewed and approved by a supervisor prior to presentation to a magistrate. The name of the approving supervisor will be documented in the associated police report.

Affidavits for search warrants shall also be reviewed by a prosecutor prior to presentation to a magistrate, unless this requirement is waived by a WCPD supervisor.

WCPD will consult with partner agencies before obtaining a search warrant in complex or specialized cases, or in cases which involve other jurisdictions.

A WCPD supervisor will be present when any search warrant is served, with the exception of search warrants seeking DNA buccal swabs or blood draws when the suspect is already in custody.

## **GO 406: Hazardous Material Response**

### **406.1 Purpose and Scope**

Hazardous materials present a potential harm to employees resulting from their exposure. This order outlines the Department's response when dealing with hazardous materials.

Definitions:

**Hazardous Material** – A substance which, by its nature, containment, and/or reactivity, has the capability of inflicting harm during exposure. It is characterized as being toxic, corrosive, flammable, reactive, an irritant and strong sensitizer, and thereby poses at threat to health when improperly managed (Tex. Health and Safety Code § 501.002).

## **406.2 Hazardous Material Response**

During the course of their duties, employees may encounter situations involving suspected hazardous materials. When this happens, certain steps should be taken to protect employees and the public.

Local fire departments are the agencies best trained and equipped to respond to and mitigate most hazardous substances and biohazards. WCPD will communicate and coordinate with appropriate fire departments in accordance with the Incident Command System.

Employees exposed to hazardous materials may require decontamination before they are allowed to depart the scene, and should be evaluated by appropriate technicians or medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

1. Attempt to identify the substance. Identification may be determined by placard, manifest, or statements by persons on the scene.
2. Utilization of personal protective gear.
3. Notify the appropriate fire department.
4. Provide first aid to injured parties if this can be done safely and without contamination.
5. Begin evacuation of the immediate area if necessary.
6. Remain uphill and upwind of the suspected hazardous material until a zone of entry and decontamination area is established.
7. Employees who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor.

## **GO 407: Hostage Situations and Barricaded Subject Incidents**

### **407.1 Purpose and Scope**

Hostage situations and barricaded suspects present unique problems for law enforcement. The protection of the public and law enforcement personnel is of the utmost importance.

Definitions:

**Barricaded Subject:** A person who takes a position of cover or concealment, or maintains a position in a structure and actively resists capture by law enforcement personnel.

**Hostage:** A person held by one party in a conflict as a security, so that specified terms will be met by the opposing party.

### **407.2 Assessment and Response**

Officers responding to a reported hostage or barricade situation should conduct an initial assessment upon arrival. This may include speaking to witnesses and complainants on scene. Officers may also attempt to make a call inside the structure to determine what is going on, or to request that subjects come outside to speak with officers.

WCPD does not have sufficient resources to handle a true hostage situation or armed barricaded subject. Once such a situation is confirmed, WCPD will immediately request assistance from our partner agencies. This assistance may include additional officers, as well as SWAT and hostage negotiators.

In addition to requesting partner agency assistance, initial WCPD responders should do the following:

1. Avoid confrontation in favor of controlling and containing the situation until the arrival of tactical and/or hostage negotiation assets.
2. Evacuate bystanders and injured persons.
3. Provide responding officers with a safe arrival route to the location.
4. Establish inner and outer perimeters, react teams, as well as a command post.
5. Brief the incoming Incident Commander on the situation when relieved.

## **GO 408: Active Shooter/Active Threat**

### **408.1 Purpose and Scope**

This order governs the response and activities associated with an active shooter event. It is intended to mitigate any further risk of injury or death to civilians or law enforcement personnel.

**Active Shooter:** An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area.

Please note that the above definition and this order are inclusive of active threat individuals who use weapons other than firearms. Such weapons include but are not limited to vehicles, edged weapons, and explosives.

### **408.2 Sworn Response**

WCPD shall respond to active shooter events per ALERRT (Advanced Law Enforcement Rapid Response Training) protocols.

In the event of a reported active shooter event on campus, all sworn WCPD personnel will respond without delay. Officers with ready access to ballistic helmets and/or patrol plate carriers should don these items before responding. Officers with ready access to rifles, shotguns, breaching tools, and ballistic shields may choose to retrieve these items before responding, depending on the totality of the circumstances.

WCPD will notify partner agencies of the situation as soon as possible, and request support.

Initial responding officers will focus on rapid deployment to the scene. Per ALERRT protocols, the initial operational goals are to:

1. Stop the Killing
2. Stop the Dying

Officers will move swiftly to engage, isolate, distract, and neutralize the threat, in accordance with their training. Once there is no longer a threat or driving force, officers will assist with stabilizing and transporting casualties.

WCPD will seek to activate the Incident Command System (ICS) swiftly, and will join in Unified Command once established. WCPD will assist with command post establishment, scene security, building clearance, reunification, and other objectives in the wake of the incident.

### **408.3 Non-sworn Response**

Non-sworn WCPD personnel are not expected to put themselves in harm's way during an active shooter event. Nonsworn personnel should utilize **Avoid, Deny, Defend** techniques, per ALERRT's CRASE (Civilian Response to Active Shooter Events) training.

The Police Office Specialist, if not in imminent danger, shall assist with communications and camera monitoring during and after the event.

Security personnel, once the immediate threat is neutralized, may assist with stabilizing and transporting casualties if it is practical for them to do so.

### **408.4 Active Shooter Training**

WCPD officers who have not completed ALERRT level 1 training will receive this training as soon as possible upon hire.

WCPD will comply with all ALERRT training mandates from TCOLE. Additionally, WCPD will make every reasonable effort to obtain AAIR (Active Attack Integrated Response) training and other advanced Active Shooter training for all officers.

### **408.5 Off Campus Active Shooter Events**

All on-duty WCPD sworn officers will respond to any reported active shooter events in their vicinity, even if the event is off-campus. Officers at the main campus will respond to any such event in Parker County. Officers at the Wise County campus will respond to any such event in Wise County.

Officers will assist the primary agency as needed, under ICS protocols, until they are relieved or released from the scene by incident command.

## **GO 409: Bomb Threats and Explosive Devices**

### **409.1 Purpose and Scope**

These guidelines have been prepared to assist officers in the initial response to incidents involving bomb threats, explosive devices, or bombing/explosive incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

### **409.2 Use of Radios and Wireless Communications**

The use of equipment which generates radio frequency energy during bomb threats and explosive device incidents is a subjective matter that must balance risk and benefit. The need for communications among responders can outweigh the risk of communication equipment inadvertently causing a detonation of an unknown explosive device. With this in mind, it is permissible to leave radios and cell phones on during a bomb threat search or during life-saving measures following an explosion. However, if a suspicious item is identified, do not transmit from a position near the item. (National Guidelines for Bomb Technicians, Section 8.5, rev. 3/10, U.S. Department of Justice, Federal Bureau of Investigation).

### **409.3 Bomb Threats**

When dispatched to a bomb threat, officers should locate, identify, and interview anyone with first-hand knowledge of the threat. On Weatherford College property, the ranking WCPD officer on-scene will determine whether or not the threat is credible.

If it is determined that a threat is credible, WCPD will request assistance from our partner agencies, and will determine if a search or evacuation is needed. When searching for a device, WCPD may ask for assistance from faculty and staff who are familiar with the area in question. Searches will be conducted systematically, starting with areas accessible to the public, looking for items that seem out of place or suspicious.

If a device is located or it is believed that a device is likely present, WCPD will begin evacuating the affected area, premises, or building(s). Faculty and administrative staff may be asked to assist with this effort. If evacuation occurs, a perimeter of at least 300 feet will be established from the target location.

### **409.4 Found Explosive/Suspect Devices**

Upon finding a known or suspected bomb or explosive device, officers will immediately evacuate the area and request assistance from our partner agencies. A minimum perimeter of 300 feet will be established from the device.

No known or suspected explosive device should be considered safe regardless of its size or apparent packaging. The device should not be touched or moved except by qualified Bomb

Squad personnel. All equipment within 300 feet of the suspected device that is capable of producing radio frequency energy should be turned off to prevent triggering a detonation.

Officers will establish an initial command post outside the perimeter and upwind of the suspected device. Officers will check the command post area for secondary devices. The location of the command post will be given to responding units, along with a safe route to reach the scene.

The ranking WCPD officer on scene will serve as ICS Incident Commander until relieved, or until Unified Command is established with our partner agencies.

#### **409.5 Response to Explosion/Bombing Incidents**

When an explosion has occurred, there are a multitude of considerations which may confront responders. As in other catastrophic incidents, a rapid response may help to minimize deaths and injuries, contamination of the scene, and additional damage.

Whether an explosion is accidental, or a deliberate/criminal act, responding officers should consider the following actions:

1. Don available PPE equipment.
2. Attempt an upwind approach if feasible.
3. Request immediate assistance from partner agencies.
4. Establish an initial perimeter taking into consideration wind speed and direction.
5. Begin evacuating persons in the area.
6. Establish an initial command post with partner agencies. Sweep the command post for secondary devices and other hazards.

Explosions may disperse radiological material or other hazardous materials. Officers will take precautions to avoid exposure to such material.

The ranking WCPD officer on scene will serve as ICS Incident Commander until relieved, or until Unified Command is established with our partner agencies.

## **GO 410: Family and Dating Violence**

### **410.1 Purpose and Scope**

Family/Dating Violence is alleged criminal conduct and it is the order of the Weatherford College Police Department to stress enforcement of applicable criminal laws, the protection of the victim, and the availability of civil remedies and community resources.

Definitions:

**Bodily Injury:** (Texas Penal Code § 1.07) Physical pain, illness, or any impairment of physical condition.

**Dating Relationship:** (Texas Family Code § 71.0021(b & c)) A relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. A casual

acquaintanceship or ordinary fraternization in a business or social context does not constitute a dating relationship. The existence of such a relationship shall be determined based on consideration of the length of the relationship, nature of the relationship, and frequency and type of interaction between the persons involved in the relationship.

**Dating Violence:** (Texas Family Code § 71.0021) An act by an individual that is against another individual with whom that person has or has had a dating relationship and that is intended to result in physical harm, bodily injury, assault, or sexual assault, or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault. However, dating violence does not include actions taken in self-defense.

**Family:** (Texas Family Code § 71.004) Individuals who are related either by blood or by marriage. Family includes former spouses, parents of the same child regardless of the marital status or the legitimacy of the child, and foster child/parent relationships.

**Family Violence:** (Texas Family Code § 71.004) An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault, or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault. However, family violence does not include actions taken in self-defense. Family violence also includes the term *dating violence*.

**Household:** (Texas Family Code § 71.005) A unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

**Member of a Household:** (Texas Family Code § 71.006) Includes a person who previously lived in a household.

**Primary Aggressor –** The person who appears to be the most significant aggressor rather than the first aggressor. In identifying the primary aggressor, officers should consider:

1. The intent of the law to protect victims of family violence from continuing abuse
2. The threats creating fear of physical injury
3. The history of family violence between the persons involved
4. Whether either person acted in self-defense

## **410.2 Enforcement Guidelines**

The primary duties of an officer who investigates a family violence allegation, or who response to a disturbance call that may involve family violence, are to protect any potential victim of family violence and enforce the law by making lawful arrest of violators.

Officers are required to make an arrest in incidents involving family violence when:

1. An assault has occurred that resulted in a minimum of bodily injury or complaint of pain; or where an officer can articulate facts from which a reasonable person could infer that the victim would have felt pain due to the manner in which the suspect made contact with the victim, or the nature of observable physical marks on the suspect's body allegedly caused by the suspect's contact with the victim, and

2. The suspect is still on-scene, and
3. The assault meets the definition of “family violence” or “dating violence.”
4. The assault occurred immediately before, or within an hour or two of the matter being brought to the attention of police.

Supervisors may authorize an exception to an arrest if there are articulable facts that lead a reasonable person to believe the alleged suspect was acting in self-defense. The facts leading to the decision for an exception shall be fully documented in the incident report, along with the name of the supervisor approving the exception.

If both parties have been assaulted, officers shall make reasonable efforts to identify the primary aggressor. Arrests of both parties should be avoided and require the approval of a WCPD supervisor.

Officers shall not use mediation at the scene as a substitute for appropriate reporting and enforcement action when physical violence has taken place.

If circumstances reasonably show that further violence is likely, but the criteria is not met for Assault with Bodily Injury, officers may arrest for Assault by Threat, or Assault by Contact, with the approval of a supervisor.

If there is reason to believe that a family/dating violence suspect suffers from a mental illness, a Peace Officer Emergency Commitment (POEC) may be used to remove the suspect from the scene in lieu of a custodial arrest. The safety of the victim(s) will be the highest priority in deciding whether an arrest or POEC is the best option in such circumstances. Officers will consult with a supervisor when unsure how to proceed.

Officers should be aware that Interference with an Emergency Request for Assistance (Texas Penal Code § 42.062) may also be applied in family/dating violence situations, and has its own arrest authority (Tex. Code of Crim. Pro. art. 14.03(a)(5)), which does not require an officer to personally witness the offense.

When filing charges related to family/dating violence, officers will apply any enhancements for which the criteria are met, including the strangulation/suffocation felony enhancement under Texas Penal Code § 22.01(b)(2)(B), and the felony enhancement due to prior conviction under Texas Penal Code § 22.01(b)(2)(A). Officers may also consider filing Continuous Family Violence under Texas Penal Code § 25.11 when applicable.

### **410.3 Additional Investigative Guidelines**

This section includes additional guidelines and required notifications when investigating any incident that involves family violence or may have involved family violence.

To assist with family/dating violence investigations, and to ensure that officers comply with this order and all legislative requirements, WCPD will keep and maintain “Family Violence Direct File Packets,” and keep them on hand in case needed.



A thorough Assault Victim Statement (AVS) shall be completed on every incident involving family/dating violence, regardless of whether an arrest is made. This includes, but is not limited to, any assault offense involving family violence with the exceptions of assault by contact or assault by threat incidents.

Victims of family violence are to be given the opportunity to complete the AVS and sign it. Officers will review the AVS to ensure it is completed thoroughly and that all needed information is present. Victims should be advised that the AVS may be used to file charges. In the event that a victim refuses to complete and sign the AVS, the reporting officer will complete the form and write "refused" in the signature block. Officers shall also document the refusal in the offense report.

Any weapon or object used in the commission of the offense shall be seized as evidence. Any other physical evidence related to the offense should be seized and/or photographed as appropriate.

Digital photographs should be taken of all visible injuries on suspects and victims, regardless of severity.

Officers shall advise victims of their right to obtain an emergency protective order (EPO) and ask them if they wish to file one. Officers will assist in completing and filing all necessary EPO paperwork. Officers may file an EPO on behalf of a victim, even if the victim does not request or want an EPO. The safety of the victim will be the determining factor in deciding whether or not to file an EPO.

Officers will ensure that victims of family violence receive the *Notice to Adult Victims of Family Violence* form included in the Family Violence Direct File Packet.

Officers will assist with connecting victims with resources such as emergency shelters and counseling as appropriate. At times it may be necessary to reach out to partner agencies to assist with crisis counseling etc.

#### **410.4 Required Child Protective Services (CPS) Notification**

Child Protective Services (CPS) must be notified following all incidents of family violence that resulted in a visible injury or aggravated assault, if a child is present at the scene of the incident, or known to reside at the location of the incident.

The notification shall be made regardless of whether the child witnessed the incident, and whether or not an officer has reason to be concerned for the physical or emotional welfare of the child.

The incident should be reported to CPS from the scene, or immediately after clearance. Notification shall be made prior to the end of the primary officer's shift.

Officers may notify CPS via the CPS Law Enforcement Hotline number, which is available through dispatch/communications.

Victim services personnel from partner agencies may agree to make the CPS notification for WCPD, but it is ultimately the reporting officer's responsibility to ensure that the notification is made.

Officers will need to provide the following information to CPS:

1. WCPD report number
2. Brief summary of the incident
3. Names, ages, addresses, and dates of birth of all children and adults involved
4. Address where the incident occurred

CPS should provide reporting officers with a call ID number which is to be included in the narrative of the WCPD report.

## **GO 411: Protective Orders**

### **411.1 Purpose and Scope**

Victims of family violence are entitled by law to protection from harm or abuse and the threat of harm or abuse. Various types of orders may be issued by various courts in family violence cases.

### **411.2 Emergency Protective Orders**

A magistrate may issue an emergency protective order (EPO) against a defendant at the defendant's initial appearance before the magistrate, if the defendant is under arrest for family violence, sexual assault, aggravated sexual assault, trafficking, continuous trafficking, or stalking. The order may be issued on the magistrate's own motion, or on request of the victim, the guardian of the victim, a peace officer, or the attorney representing the state (Texas CCP art 17.292).

An EPO shall be entered in TLETS within 3 business days of receipt from the court.

An EPO may be effective for a period between 31-61 days; or between 61-91 days of the suspect used or exhibited a deadly weapon during the assault.

A violation of an EPO is included in Penal Code § 25.07.

### **411.3 Temporary Ex-Parte Orders**

Temporary ex-parte orders are issued by the court when the court finds there is a clear and present danger of family violence contained in the application for a protective order. The court, without further notice to the individual alleged to have committed family violence, and without a hearing, may enter a temporary ex-parte order for the protection of the applicant or any other member of the family or household of the applicant (Texas Family Code § 83.001).

Temporary ex-parte orders may be effective for a period not to exceed 20 days.

A violation of a temporary ex-parte order is included in Penal Code § 25.07, but only after it has been served to the person named in the order.

#### **411.4 Final Protective Orders**

A final protective order is designed to protect victims of violence by stopping violent and harassing behavior for a longer period of time (Tex. Fam. Code § 85.021).

Final protective orders may be in effect for a period of up to two years from the date the order was issued. If the respondent is in prison on the date the protective order is set to expire, the expiration date is extended for one year from the date the respondent is released.

A violation of a final protective order is included in Penal Code § 25.07.

#### **411.5 Verification and Enforcement of Protective Orders**

Whenever a complainant advises of the violation of an existing protective order, officers shall immediately attempt to verify the order.

Protective orders may be verified via certified or official copies of the order in the possession of the complainant. Protective orders may also be verified via TCIC/NCIC, WCPD records, partner agency records, or through the issuing court.

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should utilize all reasonably available resources to confirm the validity of the order.

Once the existence of a valid order is verified, prior to taking enforcement action, officers must review the specifics of the order, such as effective dates, protected locations, etc to ensure the order was in fact violated. In the case of ex-parte orders, officers must verify that the order has been served to the respondent, before enforcement action can be taken.

No person can grant the subject of a protective order permission to violate any tenet of the order, including a peace officer or the victim.

An arrest shall be made when an officer witnesses a violation of any enforceable protective order. (Tex. Court of Crim. Proc. art. 14.03(b)).

An arrest should be made when an officer has probable cause to believe a violation of an enforceable protective order has been committed. (Texas Code of Criminal Procedure art. 14.03(a)(3)).

When officers are investigating a family disturbance or other incident, and are notified that a violation of a protective order has occurred, officers shall initiate an incident report whether or not an arrest is made. In the event that the suspect is no longer on scene, or the officers are not able to verify the existence of a valid protective order, officers will write a report, and provide the report number to the victim.

## **GO 412: Sexual Assault**

### **412.1 Purpose and Scope**

This order will establish a procedure by which officers shall investigate and report sexual assault related crimes.

### **412.2 Resource Limitations and Partner Agency Involvement**

WCPD is a small agency, with limited resources. Specifically, WCPD lacks specialized investigative and victim service resources needed to properly investigate many sex crime allegations. As such, once it has been established that such an incident has occurred and is being investigated, WCPD may contact partner agencies, such as Weatherford PD or Wise County SO, and request assistance. Depending on specific circumstances, either WCPD or the partner agency will assume the lead role in the investigation.

### **412.3 Initial Interview**

Officers shall adhere to the following guidelines when conducting an initial interview of a victim involved in a sexual assault. Nothing in this order prohibits a responding officer from asking immediate questions in order to neutralize an active threat, or apprehend a suspect who might otherwise escape.

The physical well-being of the victim takes precedence in the initial response by officers. If the victim requires medical attention, the officer will summon EMS to the scene.

Officers shall request a Victim Services Counselor from a partner agency.

If the responding officer is of the opposite sex of the victim, the officer will ask the victim if he/she would be more comfortable speaking with an officer of the same sex. If this is the case, officers will request a same-sex officer from within WCPD, or from a partner agency.

Officers shall conduct the interview of the victim with dignity and respect, being mindful that the victim has experienced a traumatic event. Officers should make every attempt to maintain the victim's privacy and protect the integrity of the investigation.

Officers should not interview a victim 12 years of age or younger. These victims will be interviewed by a specialist during a forensic interview. However, if the victim made an "outcry" statement to an adult, the officer should identify and interview the adult, if possible.

### **412.4 Sexual Assault Forensic Exam Information**

Officers will explain the following information to the victim concerning the Sexual Assault Forensic Examination (SAFE) to allow them to make an informed decision about having the exam conducted:

1. A SAFE is not mandatory, but is strongly recommended.

2. The SAFE provides medical attention necessary for emergency and preventative treatment. Additionally, the examination allows for the collection and documentation of valuable forensic evidence.
3. Charges for the SAFE are not billed to the victim. However, other charges for additional treatment may be the responsibility of the victim.
4. Officers should suggest that victims bring a change of clothing to the hospital if they are wearing the same clothing they had on during the assault, as the clothing will be collected for evidentiary purposes.
5. Whether or not a victim has bathed, showered, or douched does not preclude the exam from being conducted.
6. If the victim needs to urinate prior to the start of the SAFE, officers should obtain a sterile container from hospital or EMS personnel and give it to the victim so that the victim's urine can be collected and preserved as evidence.

Generally, SAFE exams should be conducted within 120 hours of the incident. However SAFE exams may be authorized on older cases with the approval of the Chief of Police or at the recommendation of investigative specialists from partner agencies.

#### **412.5 Clothing Collection**

Officers should attempt to gather clothing worn by victims during the time the sexual assault occurred for evidentiary purposes when victims do not consent to a forensic exam or are no longer wearing the clothing they were wearing at the time of the sexual assault.

#### **412.6 Sexual Assault Response Flyer – SB806**

In compliance with SB806 (2023), WCPD has generated a Sexual Assault Response Flyer, intended to inform victims of sexual assaults and related crimes of their rights. These rights include the right to obtain a forensic medical examination, the right to anonymously track case evidence updates, and the right to request that local prosecutors file a criminal complaint.

This document will be stored in the Weatherford College Sharepoint database, under Documents> WC Campus Police > WCPD Forms.

A paper copy of this document shall be given to all victims of sexual assaults and related crimes which are reported to WCPD. WCPD officers shall document that the form was given in their offense reports.

## **GO 413: Missing Persons**

### **413.1 Purpose and Scope**

This order describes the procedure for acceptance, reporting, documenting, and investigating missing persons. State law, as well as federal law under 42 USC 5779(a), specify certain requirements relating to missing persons (Tex. Code of Crim. Pro. art. 63.002 et. seq).

Definitions:

**Missing Person:** A person 18 years of age or older who cannot be located and the circumstances surrounding the disappearance are unknown.

**Child:** A person under 18 years of age. (For purposes of federal law, a child is considered any person under 21 years of age).

**Missing Child:** A child whose whereabouts are unknown to the child's legal custodian, the circumstances of which indicate that:

- (a) The child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law; or,
- (b) The child voluntarily left the care and control of their legal custodian without the custodian's consent and without intent to return (runaway); or,
- (c) The child was taken or retained in violation of the terms of a court order for possession of, or access to, the child.

**High-Risk Missing Person:** A person who is missing (Tex. Code of Crim. Pro. art. 63.051(5)):

- (a) As a result of an abduction by a stranger; or
- (b) Under suspicious or unknown circumstances; or
- (c) More than 30 days; or
- (d) Less than 30 days if there is reason to believe that the child or person is in danger of injury or death

#### **413.2 Investigation Guidelines**

Upon arrival to a missing person call, officers shall:

- (a) Completely identify and interview the complainant to determine the circumstances surrounding the disappearance, along with the last person to have seen or been in contact with the missing individual.
- (b) Verify the person is missing, especially in the case of a child, by conducting a thorough search of the immediate area where the individual was last seen or known to have been.
- (c) Obtain a complete description of the missing individual, along with a recent photograph, if available.
- (d) Identify the missing person's zone of safety, to determine how far the individual could have traveled from the location before they would most likely be at risk of injury or exploitation.
- (e) In the case of a missing child, confirm custody status to determine possible role in the disappearance.
- (f) Make all reasonable efforts to locate the individual with the information readily available.

If the case meets the definition of a high-risk missing person, and officers are unable to locate the individual after exhausting initial leads, officers will contact a partner agency for additional resources. In these cases, an expanded area search may need to be conducted, or an emergency alert system activation may be required. In such cases, our partner agencies with investigative expertise and additional manpower will likely assume the lead role. Nonetheless, in

cases involving a suspected child abduction, officers will ensure that the reporting requirements in Texas Code of Criminal Procedure Art. 63.0041 are completed.

## **GO 414: Public Alerts**

### **414.1 Purpose and Scope**

The purpose of this order is to provide guidelines for alerting the public to important information via CampusCast and emergency alerts. Please note that news and media relations are covered separately under GO 313.

### **414.2 DPS State Network Alerts**

The Texas Department of Public Safety (DPS) coordinates the dissemination of qualifying missing person and public safety advisories through resource partners, known as the State Network. The goal of the State Network is to rapidly notify the public of urgent public safety situations and specific missing person cases, promoting tips and leads to law enforcement. Advisories can be issued within any Texas geographical area, including statewide.

Only a law enforcement agency or authorized entity can make a request to activate the State Network. Each alert type contains criteria designed to ensure network integrity and prevent public desensitization. Examples of alert types include AMBER alerts, Camo alerts, Blue alerts, Endangered Missing Person alerts, and Silver alerts.

WCPD will only request such an alert activation at the direction of the Chief of Police. If circumstances permit, WCPD will consult with our partner agencies prior to requesting a State Network alert.

### **414.3 CampusCast**

CampusCast is a cloud-based rapid notification system offered by High Ground Solutions. CampusCast is currently in use by Weatherford College. CampusCast can be used to send mass or targeted SMS or Email messages to students, faculty, and staff. CampusCast is the primary method through which WCPD will notify our campus community of emergency conditions.

Students are enrolled in CampusCast as part of the registration process. Faculty and staff enrollment in CampusCast is administered by the WCPD secretary.

CampusCast messages will only be sent at the direction of the Chief of Police. Messages will typically be sent via both SMS and Email.

CampusCast will be used to notify the campus community of weather closures, police activity on campus, and other emergency conditions. CampusCast will not be used for routine dissemination of information. CampusCast may be used in conjunction with other methods, such as radio broadcasts and social media, in consultation with the Weatherford College administration and Public Information Office.

## **GO 415: Death Investigations**

### **415.1 Purpose and Scope**

The investigation of cases involving death includes those ranging from natural causes to homicide. Some causes of death may not be readily apparent, and some cases differ substantially from what they appeared to be initially. The need for thoroughness in death investigations cannot be emphasized enough.

### **415.2 Investigation Considerations**

Death investigations require certain actions to be taken. Even a non-suspicious death investigation will exceed the resources of our department. As such, WCPD will immediately notify applicable partner agencies whenever a death occurs on Weatherford College property.

Additionally, officers who encounter a death shall adhere to the following guidelines:

- (a) Paramedics shall be called in all suspected death cases even when the death is obvious. Officers are not authorized to pronounce death, and shall obtain the time and doctor's name who pronounces death from EMS, and shall document said information in their report.
- (b) The Chief of Police and Public Information Officer shall be notified of all deaths on Weatherford College property.
- (c) In the event that the deceased is a student, faculty member, or staff member, Weatherford College counselors shall be immediately notified and requested to the scene to support members of the campus community.
- (d) Gather as much information regarding the incident and deceased as possible, to include identifying information on the deceased.
- (e) Identify any witnesses to the incident and sequester them for investigators if needed.
- (f) Establish a perimeter if necessary.
- (g) Initiate a crime scene log for suspicious deaths or possible homicides. The log will include the names of all persons who enter the scene, and their purpose for doing so.
- (h) Officers responding to a death will ensure that the proper Medical Examiner or Justice of the Peace is notified of the death.
- (i) Officers will remain at the scene until the deceased has been removed.
- (j) Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Medical Examiner or Justice of the Peace.
- (k) All deaths on Weatherford College property will be documented in an incident report, adhering to the requirements of section 414.5 below.

### **415.3 Searching Dead Bodies**

The Medical Examiner (ME) or Justice of the Peace (JP) is generally the only person permitted to search a body that is known to be dead. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card. If such a card is located the ME or JP shall be promptly notified.



Should exigent circumstances indicate a need to search a body prior to the arrival of the ME or JP, the investigating officer shall first obtain verbal consent for such a search from the ME or JP.

The handling officer should obtain a receipt from the ME or JP whenever personal effects are removed from the body of the deceased. This receipt shall be retained in the case jacket.

#### **415.4 Death Notification**

It is normally the responsibility of the Medical Examiner to make death notifications to next-of-kin. At the request of the ME or our partner agencies, WCPD may assist with death notifications. Weatherford College counselors may be requested to assist.

If the next-of-kin lives in another jurisdiction, the law enforcement agency from that jurisdiction shall be requested to make the notification.

#### **415.5 Reporting Guidelines**

At a minimum, officers shall include the following information in reports involving a death:

- (a) Deceased person's identifying information (name, DOB, race, sex, etc...)
- (b) How the body was discovered and by whom
- (c) A description of the body and the scene as it was found upon arrival
- (d) Any alterations to the body or the scene made by the officer or any other person (EMS, Fire Department, etc...)
- (e) Time of death.
- (f) Name of physician who will sign the death certificate.
- (g) Name and identifying information of witnesses.
- (h) Names of personnel from outside agencies.
- (i) Next-of-kin information

### **GO 416: Abandoned, Stolen, and UUMV Vehicles**

#### **416.1 Purpose and Scope**

This order prescribes the guidelines for handling abandoned and stolen motor vehicles. This order also addresses Unauthorized Use of a Motor Vehicle (UUMV).

#### **416.2 Abandoned Motor Vehicles**

Upon discovering an apparent abandoned motor vehicle on Weatherford College property, WCPD officers will make reasonable efforts to identify the owner of the vehicle. This includes running the vehicle's license plate through state databases, checking the Weatherford College student database, and checking with relevant partner agencies for prior involvement with the vehicle.

If the owner can be identified, officers will contact the owner and determine the status of the vehicle. Officers will provide the owners every reasonable opportunity to retrieve or remove the vehicle. As long as the vehicle owner has been identified, and is working in good faith to address the issue, WCPD will not tow the vehicle except at the order of the Chief of Police.

If the owner of an abandoned vehicle cannot be identified, or the owner refuses to cooperate in moving or retrieving the vehicle, WCPD may have the vehicle towed with the approval of the Chief of Police. This will generally only be done as a last resort, and after at least one week has passed since the vehicle was first noted as abandoned.

In the event that an abandoned vehicle is creating a safety concern, is interfering with normal college activities, or is blocking the flow of traffic, it may be towed immediately with the approval of a supervisor.

### **416.3 Stolen Vehicles**

Upon being notified of a reported stolen vehicle, officers will attempt to verify that the vehicle is in fact stolen, or is more properly classified as a UUMV. This will be done by questioning the rightful owner of the vehicle to determine whether the person in possession of the vehicle is known to them.

Prior to classifying a vehicle as stolen, officers will also determine if it has merely been repossessed or impounded. This will be accomplished by running the license plate and checking with our partner agencies.

Once a vehicle has been verified as stolen, officers will explain the reporting and recovery process to the owner. Officers shall require the owner to complete and sign an affidavit or written statement affirming that their vehicle was stolen. If the subject refuses to complete the affidavit or statement, officers will inform them that the vehicle information will not be entered into TCIC/NCIC. The affidavit or statement will be retained in the case jacket.

Officers should provide the victim/owner with the case number, and inform them to contact us directly if/when they recover their vehicle on their own.

WCPD is responsible ensuring vehicles stolen from Weatherford College property are properly entered into TCIC/NCIC, but officers may need to contact our partner agencies in order to facilitate TCIC/NCIC entry.

### **416.4 Recovering Stolen Vehicles**

When officers encounter a vehicle which is believed to have possibly been stolen, officers will run the vehicle by VIN and/or license plate through TCIC/NCIC. If the vehicle is shown to be stolen through TCIC/NCIC, officers will confirm the stolen status of the vehicle with the originating agency. Officers will not make arrests, conduct searches, process the vehicle for evidence, or impound the vehicle, based solely on the TCIC/NCIC hit without confirmation from the originating agency.

Officers will ensure that recovered stolen vehicles are removed from TCIC/NCIC. This will typically be done through local dispatch.

Officers will ensure that recovered stolen vehicles are processed for latent prints, although officers may request assistance in this task from our partner agencies. Officers may consult with the originating agency to determine if additional steps need to be taken.

Confirmed stolen vehicles may be returned to the registered owner if they are present at the scene, and the following conditions are met:

1. All evidence processing has been completed, and
2. The originating agency has approved the release.

If the registered owner of the vehicle is not available, the vehicle will be impounded according to the guidelines in GO 318.3.

#### **416.5 Unauthorized Use of a Motor Vehicle (UUMV)**

An Unauthorized Use of a Motor Vehicle (UUMV) occurs when a complainant has allowed another person to use their vehicle, and the other person has not returned it. Officers responding to a possible stolen vehicle incident need to determine if the complainant is aware of who is in possession of the vehicle and if the person had been given permission to use the vehicle at one point. This is a matter of current or prior permission to use the vehicle, not a matter of familiarity with the suspect.

Officers responding to a UUMV will verify that the vehicle has not been impounded or repossessed by running the license plate and checking with partner agencies. Officers will obtain a sworn statement from the complainant, outlining the facts and circumstances surrounding the UUMV.

If the person last known to be in possession of the vehicle has a known address, officers will assist the complainant in drafting a demand letter for the return of the vehicle. Officers will explain to the complainant that they must send the demand letter via certified mail before the vehicle will be entered as stolen in TCIC/NCIC. Once the demand letter has been sent and a return receipt received for same, officers may enter the vehicle as stolen in TCIC/NCIC once at least 10 days have passed since the complainant contacted police. If the complainant does not have an address to which to send the demand letter, officers may enter the vehicle as stolen once 10 days have passed since the complainant contacted police.

### **GO 417: Criminal Trespass**

#### **417.1 Purpose and Scope**

This order outlines the procedures for handling criminal trespass situations. Officers should be familiar with Chapter 14 of the Texas Code of Criminal Procedure (CCP) and Texas Penal Code 30.05 (PC 30.05) when enforcing criminal trespass offenses. The following definitions apply to this GO:

**Entry** – The intrusion of the entire body.

**Owner/Agent** – Person(s) designated as the owner or with apparent authority to act on behalf of the owner. WCPD officers and all Weatherford College employees are considered agents of Weatherford College. Lawful residents (tenants) at Weatherford College dormitories are considered Owner/Agents of their specifically assigned room within a suite, and of common areas within the suite. Weatherford College students are not considered owners/agents of Weatherford College.

#### **417.2 General Guidelines**

Per TXPC 30.05 a person commits an offense if the person enters or remains on or in property of another, including residential land, a recreational vehicle park, a building, or an aircraft or another vehicle, without effective consent, and the person:

1. Had notice that the entry was forbidden; or,
2. Received notice to depart but failed to do so.

Officers relying on CCP article 14.01 (b) to make a warrantless arrest for criminal trespass do not need to actually witness the offense to make an arrest. Officers can rely on the totality of the circumstances, including any/all of the following, to establish probable cause and show that the offense was committed in their presence or view:

1. Facts within the arresting officer's personal knowledge and observations, including first-hand inspections of physical or video evidence.
2. Trustworthy or reliable information from a credible person, including probative video of a suspect committing the offense.
3. Information from fellow officers.

Except under narrow and limited circumstances, a criminal trespass offense alone – absent the threat of violence – is typically not considered a breach of the peace, therefore:

1. Residents generally may not legally arrest for this offense (i.e. citizen's arrest).
2. Officers will not make an arrest unless the violation occurs in the officer's presence or view as described above, or is one of the rare instances in which a criminal trespass could be considered a breach of the peace.

Officers will give persons a reasonable opportunity to comply with notices to leave property before resorting to a Criminal Trespass arrest, unless the individual in question had received such notice before entering the property in question. An arrest for Criminal Trespass should only occur when other reasonably available alternatives have been exhausted.

In all cases in which a criminal trespass notice is issued, officers shall write a detailed offense report which shall identify both the issuer and recipient of the notice, along with any special terms and conditions which may apply to the notice.

If an existing criminal trespass notice is modified or rescinded, officers shall write a detailed supplement to the original report which documented the criminal trespass notice. The supplement shall include the specifics of any modifications, and the reason the notice was modified or rescinded.

### **417.3 Criminal Trespass on Non-Residential Weatherford College Property**

WCPD Police Officers are agents of Weatherford College, and as such have the authority to issue criminal trespass notices on all Weatherford College Property, with the exception of residential and commercial areas leased to tenants.

WCPD Police Officers may issue criminal trespass notices on college property to any individual who is not a current student, faculty member, or staff member. Officers are trusted to use their judgement and discretion in issuing criminal trespass notices.

Prior to making an arrest for Criminal Trespass based on a previously existing criminal trespass notice, officers should make reasonable efforts to verify that the suspect was not invited back to campus by an agent of Weatherford College.

In instances in which a WC employee requests assistance from WCPD to remove an individual from campus, it is preferable for the employee who called WCPD to issue the criminal trespass notice in the presence of WCPD, rather than for the responding officer(s) to issue the criminal trespass notice.

Officers shall make every reasonable effort to avoid arresting current WC employees for Criminal Trespass. Officers shall also make every effort to avoid issuing criminal trespass notices to current WC employees. When other alternatives are exhausted, the criminal trespass notice should be issued by the current employee's direct supervisor, or another WC employee in a position of authority over the employee in question (e.g. Department Head, College President or VP, HR Director). In cases where an arrest is unavoidable, it is preferable if an individual's employment with the college is verbally terminated prior to the arrest by their supervisor, the HR Director, or another WC employee with authority to terminate the employee.

### **417.4 Criminal Trespass at Student Dormitories**

Officers must remember that Coyote Village and other dormitories owned by Weatherford College are the legal residences of students who lease apartments there. As such, the student residents there are entitled to the same legal protections of a tenant in an off-campus apartment.

Student tenants have the right to determine who may enter their personal room, as well as the common areas of their suite, which is shared with other students.

Student tenants may issue criminal trespass notices against persons who are not tenants of their suite, and may also prohibit their suitemates from entering their individual rooms within the suite. For example, the student assigned to room "A" may prohibit the students assigned to bedrooms "B," "C," and "D," from entering room "A."

Dorm tenants may invite persons to their residence, even if these guests have been lawfully issued criminal trespass notices barring them from campus. That being said, such guests may only travel directly to and from the residence of their host, and may not loiter in or visit any other parts of campus without being subject to arrest for Criminal Trespass.

Weatherford College employees, including dorm RAs and the housing manager, do not have the authority to summarily evict tenants from their residences, or issue criminal trespass notices to tenants who have leased an apartment.

WCPD officers will not arrest tenants for criminal trespass inside their leased apartments, until a formal eviction has taken place via a magistrate.

## **GO 418: Mental Health Response**

### **418.1 Purpose and Scope**

WCPD officers may find themselves interacting with persons experiencing a mental health crisis. This order sets guidelines for handling such situations.

#### **Definitions:**

**Mental Illness:** An illness, disease, or condition other than epilepsy, senility, alcoholism, or mental deficiency that substantially impairs a person's thoughts, perception of reality, emotional process, or judgement, or grossly impairs behavior as demonstrated by recent disturbed behavior.

**Intellectual Development Disorder (IDD):** A significantly sub-average intellectual function that is concurrent with deficits in adaptive behavior and which originates during the developmental period.

**Cognitive Disorders:** Organic mental disorders such as Traumatic Brain Injury (TBI), dementia, Alzheimer's, Parkinson's, etc. Symptoms of these disorders could include but are not limited to the following: memory loss, loss of motor skills, delirium, deficits in general mental ability, reasoning, problem solving, planning, abstract thinking, judgment, communication, etc.

### **418.2 Standard Response Protocols**

Non-sworn WCPD personnel who encounter suicidal subjects, or others who are clearly experiencing a mental health crisis, should request assistance from sworn personnel immediately. If no sworn personnel are available, Security Officers or other non-sworn personnel should request assistance from our partner agencies.

Sworn officers who encounter such individuals should take the following actions:

1. Take whatever immediate actions are necessary to render the scene safe, and prevent injury to all parties.
2. De-escalate and calm the subject and other parties on scene as needed.
3. Gather as much information as possible from the subject and other parties at the scene regarding the situation and the subject.
4. If it is determined that the subject is a potential danger to self or others, or is clearly experiencing psychosis, officers will call the appropriate crisis hotline for the regional mental health authority. In Parker County, this will be Pecan Valley Centers at 1-800-

772-5987. At the Wise County Campus, this will be the Helen Farabee Centers at 1-800-621-8504.

Officers will provide as much information as possible to the call-taker on the crisis line. The call-taker will make the determination whether an MCOT (Mobile Crisis Outreach Team) or other resources will respond to the scene.

Officers will stay with the subject and maintain safety for all parties until mental health resources arrive. Officers will assist mental health workers as needed upon their arrival.

If mental health professionals will not respond to the scene, or are unable to reach a resolution to the situation, officers may still employ a voluntary commitment, or utilize a Peace Officer Emergency Detention per below.

WCPD employees are reminded that our objective when dealing with suicidal subjects or other members of our campus community who are experiencing mental health crises is to connect the subject with the best possible care that is available. Sworn officers are permitted to transport subjects away from campus, and even to other counties, in order to achieve this objective.

### **418.3 Voluntary Commitment**

Officers encountering a person desiring to be voluntarily committed to a mental health facility, but that do not meet the criteria for an Emergency Detention, may provide voluntary transportation to a mental health facility or emergency room. If the subject is a student, faculty, or staff member, officers may request assistance from Weatherford College counseling staff.

### **418.4 Peace Officer Emergency Detention**

The authority to apprehend a person by using the Peace Officer's Emergency Detention (POED) is granted under Texas Health and Safety Code 573.001. This type of custody is protective rather than criminal in nature, and does not constitute an arrest. A POED may be used when:

1. The officer has reason to believe and does believe that the person is mentally ill, and
2. Because of that mental illness, there is a substantial risk of serious harm to the person or others unless the person is immediately restrained, and
3. The officer believes there is not sufficient time to obtain a warrant before taking the person into custody.

WCPD officers who encounter a subject on Weatherford College Property who may qualify for a POED are responsible for conducting an assessment of the individual in question, transporting the individual to a mental health facility, and completing all necessary paperwork. Officers may consult with our partner agencies or with Weatherford College's counseling staff if assistance is needed.

## **418.5 Arrest and Diversion of Mentally Ill, Cognitively Disabled, and IDD Persons**

Officers should be cognizant that the arrest of a mentally ill person creates an extraordinary burden on the criminal justice and judicial systems. The college and the community benefit from alternative methods of addressing a mentally ill, cognitively disabled, or IDD person's behavior, rather than with arrest and confinement in jail. Officers should explore reasonable alternative solutions to address problem behaviors exhibited by mentally ill, cognitively disabled, or IDD persons, even when a minor violation of the law has occurred. Such alternatives may include requesting assistance from the subject's family, administrative sanctions from the Weatherford College administration, referral to mental health services, etc. In such situations, arrest should be the tool of last resort.

Regardless of a person's mental health status, officers shall still make arrests when legally required to do so, for example, in family violence situations.

## **GO 419: Informants**

### **419.1 Purpose and Scope**

In many instances, a successful investigation cannot be conducted without the use of informants. To protect the integrity of the Weatherford College Police Department and the officers using informants, it shall be the policy of this department to take appropriate precautions by developing sound informant policies.

### **419.2 Types of Informants and Restrictions**

**Citizen Informants** – Concerned citizens who provide information or evidence to WCPD without any expectation of payment or benefit.

**Paid informants** – Persons who are providing information or evidence to WCPD in exchange for money or other remuneration. WCPD does not use paid informants. Any deviation from this policy may only be made at the direction of the Chief of Police, and after consultation with the Weatherford College General Counsel and with the approval of the Executive Vice President or College President.

**Defendant Informants** – Persons who provide information or evidence to WCPD in the hopes that doing so will earn them consideration on their own pending criminal charges. WCPD officers will not enter into any agreement to accept information in lieu of filing charges without first getting approval to do so from the applicable prosecutor's office and the Chief of Police.

No member of the Weatherford College Police Department will maintain a social relationship with a known paid or defendant informant, or otherwise become intimately involved with such an informant.



### **419.3 Confidentiality Considerations**

WCPD officers will take all reasonable steps to protect the confidentiality of informants, and will provide identifying information only when legally required to do so. The names and identifying information of confidential informants will not typically be included in police reports, unless there is a compelling reason to include such information.

Officers should explain to potential informants who wish to remain confidential, that while WCPD will take precautions against revealing their identity, it is possible that at some point their identity may be revealed in court or when otherwise legally required.

## **GO 420: Crime Victim Liaison**

### **420.1 Crime Victim Liaison**

The WCPD Police Office Specialist is the designated Crime Victim Liaison for the Department. As the liaison, the Police Office Specialist is responsible for ensuring that crime victims are afforded the rights granted to them under 56.02 of the Texas Code of Criminal Procedure. The liaison is the point of contact for individuals requiring further assistance or information from the Weatherford College Police Department regarding benefits from crime victim resources. This includes notifying victims and/or survivors of violent crimes of their potential eligibility for compensation under state law and the assistance available in filing a claim. The liaison is also responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

## **GO 421: Video Surveillance System**

### **421.1 Purpose and Scope**

Weatherford College has video surveillance cameras in place at both the main and Wise County campuses. This order establishes guidelines for accessing and using these systems.

### **421.2 System Access**

In order to minimize the potential for illegal or unethical use, access to the video surveillance system will be limited to those personnel with a work-related need for access. These include the following:

*WCPD Supervisors:* All full-time WCPD officers of the rank of Sgt or higher will be granted access to the video surveillance system.

*WCPD Police Office Specialist:* In order to provide real-time information during emergency situations, the Police Office Specialist will have access to the video surveillance system.

*Technology Services:* Staff from Technology Services will have access to the video surveillance system in order to monitor and service the system to ensure its continued operation.

*Other Personnel:* Other WCPD personnel may be granted temporary or partial access to the video surveillance system if there is a work-related need for such access. College employees who are not in WCPD or Tech Services will generally not be allowed to access the system. The Chief of Police will determine what college employees are granted access to the video surveillance system.

### **421.3 Acceptable Use**

The video surveillance system will not be used in an unethical or illegal manner. The system will only be used for legitimate work-related functions. These include but are not limited to:

Criminal Investigations - The video surveillance system may be accessed to assist with the investigation of any criminal act.

Administrative Investigations – The video surveillance system may be accessed for non-criminal administrative investigations, including but not limited to motor vehicle accidents, on-campus injuries, student conduct violations, human resources matters, and missing items or property.

Surveillance – WCPD personnel may use the video surveillance system to proactively monitor for problems on college property.

System Monitoring and Service – Tech Services and WCPD staff may access the video system to ensure it is functioning properly, or to conduct maintenance and repairs of the system.

## **GO 422: Property and Evidence**

### **422.1 Purpose and Scope**

It is the policy of the Weatherford College Police Department to provide for the security and control of all seized, recovered, and evidentiary property as well as abandoned, lost, or found property in the custody of WCPD. This manual is designed to establish policies and procedures, which provide for the proper operations throughout the Property and Evidence Department. These policies and guidelines will apply to all personnel of the Property and Evidence Department as well as uniformed personnel depositing and retrieving from the Property and Evidence Department.

### **422.2 Responsibilities**

- A. It is the overall responsibility of the Chief of Police, or his designee, at WCPD for secure and appropriate evidence and property management in accordance with state and federal laws.
- B. It is the overall responsibility of the Chief of Police, or his designee, at WCPD to ensure the designation of an evidence technician that is qualified per guidelines outlined by the state (if applicable) or Police Office Specialist designated.
- C. It is the overall responsibility of the Chief of Police, or his designee, at WCPD to ensure all personnel are properly trained in evidence handling. Training sponsored by the Texas Association of Property and Evidence Inventory Technicians (TAPEIT) will be made available for the evidence technician and any other personnel that is

assigned to the property room. It is the responsibility of the designated evidence technician to maintain training and stay up to date on new laws by attending classes online or in person, as they become available.

### **422.3 Definitions and Terminologies**

- A. Abandoned Property – Property, including property initially submitted as evidence but is no longer evidentiary, whose owner failed to claim the property after sufficient notification. CCP 18.17
- B. Chain of Command – The line of authority and responsibility along which orders are passed within the department.
- C. Chain of Custody – is the continuity of the custody of physical evidence from the time of original collection to the time that it is offered into evidence in a judicial proceeding or to the final disposition of the property.
- D. Disposal– is the process of ridding of property that is in the police custody. “Disposal” may include returning the property to its owner, auctioning the property, destroying the property pursuant to a court order, or getting the property awarded to the department by a court order.
- E. Found Property – Non-evidentiary property whose owner is unknown or who has not made themselves known.
- F. Hours of Operation – The property and evidence department is open for the transaction of all business concerning intake, release, and disposal of items seized by members of WCPD, Monday through Thursday, 8:00 a.m. until 5:00 p.m. and Friday 8:00 a.m. until 4:00 p.m. The only exception to these hours is during summer months when we are closed Fridays as well as other holidays designated by Weatherford College Employee Procedures Manual.
- G. Integrity – Refers to the documented chain of custody of an item of property/evidence and the prevention from damage to or the illegal handling of an item of property/evidence.
- H. Non-evidentiary items – is property that is not evidence or is not related to a criminal investigation.
- I. Physical Evidence – means any tangible object, thing, or substance relating to a criminal action. Texas Code of Criminal Procedure, Chapter 38.5 (a) (5)
- J. Property – is any tangible item that may or may not have any evidentiary value.
- K. Property Room – is a room located at WCPD accessible by key in which only evidence and property technicians have access to. All evidence is secured within this room and organized according to year and size. In addition, the secure property room has three safes that are accessible by code and emergency key entry.
- L. Right of Refusal – written directive giving the property person the right to refuse property submitted in an unsafe manner, packaged incorrectly or other improper way.
- M. Safekeeping – non-evidentiary property in custody for temporary protection on behalf of the owner.

- N. Storage – refers to the proper and safe storage of items of property/evidence within the Property Room.
- O. Temporary Evidence Drop Box – Mailbox located at WCPD evidence processing station where officers may deposit evidence once packaged and/or labeled appropriately. Accessible only by evidence and property technicians once deposited.
- P. Temporary Gun Safe – Safe located at WCPD evidence processing station where officers may deposit weapons once packed and/or labeled appropriately. Accessible only by evidence and property technicians once deposited.

#### **422.4 Property Packaging and Documentation**

- A. All property, including evidence, safekeeping, and abandoned property, should be packaged according to the policies as outlined by WCPD and following DPS Crime Lab standards in a tamper proof package.
- B. Officers are required to log information regarding evidence collected on the WCPD Inventory of Seized Property sheet.
- C. Officers shall properly handle, mark, sign, and package all evidence, check the package for accuracy, and deposit into the temporary evidence drop box, temporary gun safe, or other authorized secure location as soon as practical.
- D. Officers must secure firearms before depositing them into the temporary gun safe. Firearms can be placed into a bag with the Inventory of Seized Property sheet.
- E. All monies will be counted and witnessed by both the seizing officer and another officer and documented on the evidence property package in detail.
- F. Items may be combined as one if they were taken from the same place at the same time and may be released to the same person or agency. The exception to this is drugs, money, and firearms, as well as any other item that must be kept separate from other evidence to protect its integrity and chain of custody throughout legal proceedings.
- G. Evidence of a hazardous nature shall be appropriately packaged and stored in accordance with established policy, state and federal law. Such substances include, but are not limited to, items that may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste products, explosives or highly combustible products. Where appropriate, the evidence technician will make arrangements and assume responsibility for storage and control of such substances outside the property room. These items must be marked clearly as hazardous and handled appropriately during packaging as well.

#### **422.5 Securing Property**

- A. Officers may submit property through the temporary evidence drop box or temporary gun safe 24 hours a day. These depositories are locked and it is the responsibility of the submitting officer to double check the security of the evidence.
- B. Only the evidence technician has access to the keys or combinations to the locks.
- C. At no time shall evidence be stored in an employee's personal desk, locker, vehicle, home or other places that are not secure or would interrupt the chain of custody; personal use of evidence is prohibited.

#### **422.6 Property Intake Procedures**

- A. The evidence technician shall be responsible for receiving, storing, maintaining, releasing, and accounting for all evidence in compliance with established policies. This includes preventing the introduction of foreign materials to evidence storage and otherwise guarding against compromise.
- B. Once evidence is retrieved from approved temporary storage locations, the evidence technician will document the receipt of the evidence in the master inventory log.
- C. It is the responsibility of the evidence technician to examine all items which have been received and determine that each item has been properly packaged.
- D. It is the responsibility of the evidence technician to develop and maintain a master inventory log of all evidence. The file may be either manual or automated and cross-indexed with WCPD case files.

#### **422.7 Right to Refuse**

The evidence technician has the exclusive right to refuse any property submitted in an unsafe manner, packaged incorrectly or other improper way. The right to refuse protects the submitting officer as well as the technician's safety and integrity.

#### **422.8 Evidence Corrections**

In the event a piece of submitted evidence is in need of a correction, the evidence technician will fill out an Evidence Correction Form and direct it to the submitting officer. The technician will also send an email to the officer notifying them of the corrections needed and where the item is stored for retrieval. If the corrections are not made in a timely manner, the technician will notify the officer's sergeant.

#### **422.9 Evidence Storage**

- A. The evidence technician shall assign a storage location to each item of evidence and record this information on the master inventory log.
- B. Evidence that requires additional security, including money, precious metals, jewelry, gemstones, furs, and related items, shall be stored separately in the designated safe within the property room.
- C. Firearms submitted into evidence shall be stored in the designated safe within the property room.
- D. Narcotics or other dangerous drugs shall be stored in the designated safe within the property room.
- E. Perishable items shall be stored in a refrigerator or other suitable container (e.g. sexual assault evidence, DNA evidence, body fluid evidence) to ensure appropriate segregation and preservation as well as compliance with applicable laws. WCPD does not have a refrigerated storage container, therefore, these items will be stored by a partner agency, Weatherford Police Department.

#### **422.10 Lab Submissions – Controlled Substances**

- A. DPS Crime labs have restrictions on what substances are accepted to be tested. This information can be found in the DPS Crime Laboratory Division Manual, Part II: Laboratory Customer Handbook, Section 15.8 Seized Drug Analysis. <https://www.dps.texas.gov/section/crime-laboratory/publications>
- B. In the event a case qualifies for submission to DPS Crime Labs, the evidence technician will complete the Laboratory Submission Form (LAB-201), retain a copy for our records, update the chain of custody, and submit the information to DPS Crime Labs per their standards. <https://www.dps.texas.gov/section/crime-laboratory/publications>

#### **422.11 Lab Submissions – Sexual Assault Evidence Collection Kits**

- A. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.420.htm>
- B. TrackKit is the system that tracks all Sexual Assault Kits. An administrator can update user preferences and create an account.
- C. We receive Sexual Assault Collection Kits from hospitals directly, and they will contact us to pick these up.
- D. Once received, the kit must be entered into TrackKit. <https://tx.track-kit.us/Login>
- E. The kits may be submitted to either Tarrant County Medical Examiner's Office or DPS Crime Lab in Garland. The use of appropriate agency forms must be utilized when sending to either lab.  
TCME's Chain of Custody form can be found here: <https://www.tarrantcountytexas.gov/en/medical-examiner/forensic-lab-services.html>  
DPS Crime Lab form can be found here: <https://www.dps.texas.gov/section/crime-laboratory/publications>

#### **422.12 Lab Results**

- A. Lab results are generally submitted via email. Once received, the results can be forwarded to the submitting officer and the court prosecuting the case.  
County Attorney – [sabra.swaim@parkercountytx.com](mailto:sabra.swaim@parkercountytx.com)  
District Attorney – [daintake@parkercountytx.com](mailto:daintake@parkercountytx.com)
- B. Items sent to most labs will be returned by mail. However, some labs require evidence be picked up in person. The lab will contact us when items are ready to be picked up. Notify the submitting officer or one of the on-duty sergeants when items are ready to be picked up.
- C. When items are being returned to property, the officer that picked them up must document when the items were released to property on the chain of custody. Verify with the officer that all listed items are present.

- D. The evidence technician will verify all items returned have been documented, the chain of custody is accurate, and file all documentation received in the lab result folder.

#### **422.13 Integrity – Chain of Custody**

- A. Property must be secured at all times. Any time an item is opened, released, or moved it must be documented.
- B. It may be necessary to open items to copy them or attain more information about a particular piece of evidence.
  - 1. In the event you must open an item, do not break the seal. Most of our evidence bags have a line at the bottom that can be cut to remove contents. The only time you would break a seal is if there is no alternate entry point.
  - 2. The package must be resealed once additional information is gathered or documents copied. You will seal with evidence tape, initial and date the seal.
- C. Anytime an item is opened, even if it does not leave the care of the evidence technician, it must be documented on the chain of custody.
- D. Anytime an item is received into the evidence and property department, it must be documented on the chain of custody.
- E. Any time an item is moved from its original location to another location, the new location must be documented on the chain of custody with the date and time it was moved.
- F. Anytime an item is released from our custody, it must be documented on the chain of custody with any corroborating documents placed in the case file.

#### **422.14 Inspections and Audits**

- A. The evidence technician will complete an annual audit of evidence inventory and present the information to the Chief of Police.
- B. The Chief of Police has the right to request a random audit of the property room semi-annually. The Chief of Police has the right to request an additional department employee to complete this audit alongside the evidence technician. This employee should be one that does not normally work in the evidence and property department.
- C. An inventory of evidence should be conducted whenever an Evidence Technician is assigned to or hired for that position.
- D. Where applicable, the inventory should be conducted by both the newly designated technician and the outgoing technician to ensure that records are correct and properly annotated.

#### **422.15 Property Room Security**

- A. Only members of this department authorized by the Chief of Police may enter the property room.
- B. Anyone entering the property room will be required to sign in on the log. It is the responsibility of the evidence technician to ensure that individuals entering have signed the log.
- C. If anyone from outside this department is granted access to the property room, they must be accompanied by the evidence technician or sworn officer.

- D. Under no circumstances will any property be removed from the evidence and property department without the proper paperwork being completed, and the approval has been granted.
- E. If at any time there is an unusual or suspicious incident or probable breach of security reasonably related to potential discrepancy, loss, theft, or other diversion, report it to the Chief of Police or a Sergeant immediately.

#### **422.16 General Release of Property**

- A. Property may be released to County Attorneys, Assistant County Attorneys, District Attorney, Assistant District Attorneys, their Investigators, or other Law Enforcement Officers.
- B. When an individual requests the release of a certain piece of property:
  - 1. Property must be released with a court order.
  - 2. Check the property sheet to see if the item is being held as Evidence, Safekeeping, or Found Property.
    - i. Evidence cannot be released until a disposition is obtained from the court or permission is given via the chain of command. If permission is granted through the chain of command, it must be documented on the chain of custody and any correspondence filed with the case associated.
    - ii. Safekeeping property may be released to the owner when no investigation is pending. You may obtain authorization from the chain of command if the investigation has not yet been completed.
    - iii. Found property may be released to the owner without further approval.
- C. If an owner is unable to personally pick up the property, that person may designate someone to pick up the property for them through a notarized letter or the property may be sent to their local police department by certified mail.
- D. If there is any doubt as to the release of any item of property, do not release it. Let the requestor know that you will need to look into the request and will call as soon as you know more information. Take your time. Never feel rushed to release property.
- E. When property is determined to be released, always check a photo ID and document the release of said property on the chain of custody.

#### **422.17 Firearm Release**

- A. The release of firearms in evidence requires a court order following disposition of the case related.
- B. Firearms in safekeeping or found property may be released to the owner with a court order from the Municipal Court or with authorization from the Chief of Police.
- C. Before release, it is required to do a thorough background check to verify the requestor is legally able to possess a firearm. A complete description of prohibited persons can be found in the Texas Penal Code 46.04(a).
- D. Once verification is complete the Motion for Disposition of Property. It can be sent to the Weatherford Municipal Court ([tbagwell@weatherfordtx.gov](mailto:tbagwell@weatherfordtx.gov)).
- E. Once the court order is returned signed by the judge, contact the owner and set up a time for them to pick up the firearm. If unable to make contact via phone, mail a



certified letter to the owner letting them know they may set an appointment to retrieve their firearm.

- F. When releasing the firearm, verify the owner's identity via photo ID. Have the owner fill out the Affidavit of Request for Firearm.
- G. Document release of firearm on the chain of custody.

#### **422.18 Currency Release**

- A. Release of currency will follow the guidelines outlined in 6.1 Release of Property.
- B. Found currency may be released to the finder after remaining unclaimed for 90 days.
- C. Document release on chain of custody.

#### **422.19 Biohazardous Release**

- A. Any item marked as biohazardous will only be released with a court order.
- B. If ordered to be released, have the owner complete the Biohazardous Release Form.
- C. Document release on chain of custody.

#### **422.20 Property Disposal – General Unclaimed Property**

- A. All evidence becomes classified as abandoned or unclaimed property once the case has been disposed or the statute of limitations is completed (CCP 12).
- B. The evidence technician shall determine whether the item can be returned to the owner, utilized, donated, sent to auction, or destroyed. A certified letter must be sent to the owner notifying them that their property may now be claimed.
- C. Any item containing personal information, including credit cards, must be shredded.
- D. Once determined to be disposed, all items scheduled for destruction can be listed on the Motion for Disposition of Property for the Municipal Judge to sign. It can be sent to [tbaqwell@weatherfordtx.gov](mailto:tbaqwell@weatherfordtx.gov).

#### **422.21 Property Disposal – Drugs**

- A. Found Drugs
  - 1. If a drug is found property, there is no known defendant, and no charges could be filed, it may be put on the list for destruction.
  - 2. Documentation on the destruction list should include the evidence number, seizing officer, description, count and weight of items.
- B. Drugs Held as Evidence
  - 1. If a case was filed against the defendant related to the evidence, verify that a disposition exists. That information can be found at <https://www.parkercountytx.com/512/Judicial-Records-Search>. Be sure to record the date and result of a case if it exists.
  - 2. Drugs will be disposed of as outlined in the Health and Safety Code 148.153.
  - 3. List all drugs ready for destruction on the Drugs Destruction List.
  - 4. All drugs are incinerated in compliance with the Texas Commission on Environmental Quality and the EPA. Drug paraphernalia may be broken until it is unusable and thrown away. Two people must witness destruction and sign a statement with the details of the destruction.

5. If drugs are found to be lawfully owned (i.e., the defendant presents a prescription for confiscated pills), the drugs may be returned.
6. WCPD may contact Weatherford Police Department's property and evidence department for assistance with destruction.

#### **422.22 Property Disposal – Firearms and Ammunition**

- A. If a case was filed against the defendant related to the evidence, verify that a disposition exists. That information can be found at <https://www.parkercountytexas.com/512/Judicial-Records-Search>. Be sure to record the date and result of a case if it exists.
- B. A court order must be obtained if a weapon is unclaimed or the person is convicted of an offense involving a weapon to either destroy, utilize, or auction the weapon.
- C. All firearms ready for destruction are listed on the Firearm Destruction List and incinerated.
- D. If ordered to be auctioned, we may utilize Property Room, <https://www.propertyroom.com/> or another authorized auction partner.
- E. Any ammunition may be utilized by WCPD or sent for destruction by Weatherford Fire Department.

#### **422.23 Property Disposal – Currency**

- A. Unclaimed money that has been taken into custody and all efforts have been expended to return the money to the rightful owner (including sending a certified letter and waiting 90 days for response), may be sent to the Weatherford College business office to be deposited in the general fund.
- B. Counterfeit money associated with a case that has been disposed must be mailed to the Secret Service. The report for submission can be found at [www.usdollars.uss.gov](http://www.usdollars.uss.gov).
- C. Any money that has been exposed to biohazard conditions or contaminated by biohazard fluids must not be put back into circulation. This money must be released to the manager of a Financial Institution. The bank will take custody of the money and release it to the Federal Reserve Bank for destruction. The FRB will credit the bank releasing the money, who will then credit the owner of the money for the amount destroyed. You can also submit a claim by mailing the currency to the Bureau of Engraving and Printing.
- D. Any lottery ticket questions should be addressed to the Austin District Office, 8200 Cameron Rd., Building B, Suite #170, Austin, Texas 78754-3822, (512) 908-4300.

#### **422.24 Found and Safekeeping**

- A. Check the found property for any identification. If a name is found, try to locate and address and/or telephone number.
- B. Contact the individual by phone, if numbers are not valid, or the individual does not respond, send a certified letter to the last known address.
- C. If property remains unclaimed for 90 days, follow the guidelines for General Unclaimed Property.
- D. An ad must be placed in a local newspaper for items with a value over \$500 (CCP 18.17).

- E. If an item of Found Property is turned in and the finder of the property requests the property, the property will be held for 90 days, and if no owner has come forward to claim the property, the property may be released to the finder.
- F. If property is stolen, it can only be held if the ownership of said property is contested or disputed. A hearing must be set with a district, county court, or statutory county court judge, justice of the peace having jurisdiction as a magistrate in the county in which the property is held, or where it was alleged to have been stolen, or a municipal judge having jurisdiction as a magistrate in the municipality in which the property is held, or where it is alleged to have been stolen. The judge can determine who the rightful owner is and what actions can be taken next.

#### **422.25 Incineration and Auction**

##### **A. Incineration:**

1. Drugs will be incinerated. The facility must hold a controlled substances registration number from the director and DEA and obtain full permitting from the EPA as a hazardous waste disposal facility (TAC 37.1.13.158). WCPD will follow the process of Weatherford Police Department, and they use Sharps Environmental, 1544 NE Loop, Carthage, TX, 75633, (903) 693-2525.
2. An appointment will need to be arranged with the incineration facility and two officers.
3. All persons witnessing the destruction, including the incinerator operator, will sign a statement attesting to the destruction of the package(s).
4. After the controlled substances are destroyed, the witness statement will be attached to the inventory destruction list and will be maintained in a file in the Property/Evidence Department. All records will be updated to reflect the destruction of property.
5. Destruction records will be maintained and kept on hand for a minimum of 3 years from the date of destruction.

##### **B. Auction:**

1. Weatherford Police Department utilizes PropertyRoom.com to auction valuable items ready for disposal. We will follow their protocol when it comes to this.
2. Fill out the manifest for each item (items from different cases can be grouped together as one item, i.e. several knives can all be put in a bag and labeled as one item).
3. Attach the bar code provided by PropertyRoom.com to the item.
4. Send the manifest to Joseph Turner: [Josephturner@propertyroom.com](mailto:Josephturner@propertyroom.com)
5. Firearms are also auctioned on PropertyRoom.com, but are sold to Bud's Police Supply.
6. The procedures for firearms are similar to those above, except the bar code (provided by PropertyRoom.com) is attached to a blue tag and then to the trigger guard of the firearm. Attach the bar code.
7. Send manifest to Kevin Morin: [firearms@propertyroom.com](mailto:firearms@propertyroom.com) he will arrange for shipping materials to be sent to you.

## **422.26 Safety Policies and Procedures**

- A. You must report any condition that may be hazardous or could later be hazardous.
- B. Do not do anything that might cause injury to yourself or another employee. Notify your supervisor if you are not sure.
- C. When lifting heavy items, be careful, do not lift more than you can handle. When in doubt, ask for help.
- D. You must wear protective gloves when handling all evidence with blood or evidence that is to be fingerprinted.
- E. Wear a mask when working closely with drug evidence.

## **422.26 Safety – Biological Fluids**

- A. It should be understood that viruses (i.e., Hepatitis) are to be regarded as infectious in dry as well as liquid blood.
- B. Carriers of infectious agents appear in body fluids other than blood.
- C. If clothing is contaminated by blood or other body fluids, it should be changed as soon as possible and laundered by itself, before it is worn again.
- D. If accidental contact with blood or body fluids should occur, wash hands or exposed areas thoroughly and immediately.

## **GO 423: Utilization of Naloxone (Narcan)**

### **415.1 Purpose**

To establish guidelines governing the utilization of Naloxone (Narcan) by WCPD police officers. Naloxone, also known as Narcan, is a synthetic drug, chemically similar to morphine, which blocks opioid receptors in the nervous system. This drug is intended to restore breathing for subjects experiencing an opioid overdose. It is not intended to bring the subject back to a normal state.

### **415.2 Considerations**

Officers administering Naloxone (Narcan) shall be properly trained prior to its use and deployment.

Naloxone (Narcan) may be used when an opioid overdose is reported or reasonably suspected, and the victim is unconscious.

Universal precautions should be used to include nitrile, latex, or other protective gloves.

Officers are not expected to expose themselves to risk of assault or injury in order to administer Naloxone (Narcan).

If the victim is awake, officers should not administer Naloxone (Narcan).

Officers should notify responding medical personnel that Naloxone (Narcan) has been administered.

After administering Naloxone (Narcan) WCPD officers shall submit a detained incident report.

### **415.3 Storage and Distribution**

Naloxone (Narcan) stocks will be stored in the WCPD office at the main campus. The Police Office Specialist will be responsible for maintaining and issuing Naloxone (Narcan).

Naloxone (Narcan) should be stored securely at room temperature, and should not be exposed to light. It should not be left in a car for extended periods of time, and must not be subjected to extreme temperatures for more than 2 hours.

The Police Office Specialist may issue Naloxone (Narcan) to trained WCPD officers. Narcan will also be stored inside all Stop the Bleed kits inside all temperature-controlled buildings on Weatherford College property.

## **Chapter 5: Equipment Policies**

### **GO 500: Property and Equipment Accountability**

#### **500.1 Purpose and Scope**

WCPD employees are expected to properly care for college property and equipment assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or city property while performing assigned duties. This order outlines the procedures for the handling, accountability, and replacement of City and personal property used for official duties.

#### **500.2 General Policy**

For purposes of this order, WCPD property is synonymous with Weatherford College property.

- (a) Willful damage to WCPD property by an employee is prohibited
- (b) Negligent or incorrect use of WCPD property is prohibited
- (c) Employees are responsible for the ordinary care and maintenance of WCPD equipment in their custody and control, and will make reasonable efforts to maintain it in proper working order.
- (d) Each employee will, by practical means, secure all equipment from unauthorized access or use
- (e) Lockers, desks, computers, and other items that have been assigned for the use of an individual employee remain the property of Weatherford College, and are subject to inspection or examination by a supervisor at any time. There is no expectation of privacy in such places.

#### **500.3 Handling Damaged, Lost, and Stolen Weatherford College Property**

Employees shall be responsible for the safekeeping, serviceable condition, proper care and use of Weatherford College property assigned or entrusted to them.

An employee's intentional or negligent abuse or misuse of Weatherford College property may lead to discipline including, but not limited to, the full or partial cost of repair or replacement. For the purpose of this order, negligence is the failure to use such care and prudence as would be expected of a reasonable person.

If issued property is damaged, lost, or stolen, the employee to whom the property is issued, must promptly notify their supervisor of the damage or loss. The Chief of Police will make the final determination as to whether or not the loss or damage was the result of negligence.

## **GO 501: Uniform and Dress Code**

### **501.1 Purpose and Scope**

This order is established to ensure that all employees of the Weatherford College Police Department exhibit a consistent and professional appearance when representing the Department.

The Chief of Police may approve exceptions to this order for employees assigned to undercover operations, certain specialized activities, or due to special circumstances.

### **501.2 Sworn Uniform**

Sworn Employees wear a uniform to be identified as peace officers. The uniform also serves to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

All sworn employees shall possess and maintain a serviceable uniform and the necessary equipment to perform uniformed field duty at all times.

Undershirts worn beneath a uniform shall be white, black, or dark navy blue. No visible slogans, logos, or printing are permitted on the undershirt.

Sworn employees shall wear appropriate footwear that is black in color while in uniform. Socks worn with low-cut shoes will be black or dark navy blue.

Employees under suspension shall not wear any part of the police uniform.

Employees are not to purchase or drink alcoholic beverages while wearing any part of the WCPD uniform.

The two variants of the WCPD uniform for sworn officers are explained below:

**Class A – Dress/Ceremonial Uniform:** This uniform is intended for special events, formal occasions, and funerals. The Class A uniform consists of:

- Long sleeve WCPD uniform shirt with metal nametag and WCPD badge
- WCPD-issued non-BDU/tactical pants with no side pockets
- Black WCPD-issued bib scarf
- Black leather non-athletic shoes or boots
- White WCPD-issued parade gloves
- WCPD-issued Stetson hat with leather hatband
- Duty belt
- Body armor
- Award ribbons
- WCPD-issued jacket optional

**Class B – Patrol Uniform:** This uniform is intended for routine wear during normal operations

- Long or short sleeve WCPD uniform shirt with metal nametag and WCPD Badge
- Black BDU WCPD-issued pants with side pockets
- Black footwear. Athletic style footwear is permitted.

- Optional headgear as noted in GO 501.5
- Duty belt
- Body armor
- WCPD-issued jacket optional
- Award ribbons optional

Sworn officers should view the Class B uniform as their “default” uniform to be worn at all assignments. The Chief of Police will notify sworn employees when the Class A uniform is required. Additionally, the Chief of Police may authorize exceptions or changes to the regular uniform variants for unique events, such as the annual WCPD Alumni Rodeo, or Tactical Grill Team deployments.

### **501.3 Department Issued Identification**

WCPD issues each sworn employee an official WCPD identification card, bearing the employee’s name, identifying information, and photo likeness.

Sworn employees shall be in possession of the issued WCPD ID card at all times while on-duty, unless working in an undercover capacity.

Sworn employees shall be in possession of the issued WCPD ID card at all times while carrying a concealed weapon off-duty.

### **501.4 Duty Belt and Accessories**

Sworn employees may only wear an authorized duty belt and accessories. Basket weave designs are not allowed. When practical, the accessories must be made of the same material as the belt itself. Arrangement of the approved items is optional with each officer, unless a specific location is designated.

Sworn employees assigned to office positions, and who have limited direct contact with the public may be allowed to remove the duty belt while in the office during on-duty hours. Once removed, the duty belt will be placed in a secure location where it is readily accessible. Officers must don the duty belt before resuming field operations or interacting with the public.

The following list contains the authorized accessories for the duty belt:

- **Pistol Holster** – Safariland level III or higher security retention rating holsters are authorized. Other holsters are only authorized with the approval of the Chief of Police. Safariland holsters should be worn with all retention features activated. In other words, the “hoods” should be in the upright position to maximize weapon retention. The pistol holster will be worn on the side of the shooting hand, with the butt of the pistol to the rear.
- **Duty Pistol** – Handgun issued by the department or approved by the Chief of Police
- **Ammunition Magazines and Holders for Same**
- **Flashlight and Holder**
- **Conductive Energy Device (CED)** – CED’s must be worn in a CED holster and worn on the side of the body opposite of the duty weapon. Extra CED cartridges are allowed.



- **OC Canister and Holder**
- **Baton and Holder**
- **Handcuffs and Case(s)**
- **Portable Radio and Holder**
- **Gloves and Case**
- **Naloxone or Narcan and Case for Same**
- **Cell Phone and Case or Carrier**
- **Tourniquet and Holder**

### **501.5 Headgear**

WCPD authorizes only the following types of headgear:

WCPD issued Stetson hats with leather hatbands may be worn with any class WCPD uniform.

Weatherford College branded ball caps may be worn with the Class B uniform.

Plain black knit caps or Weatherford College branded winter caps may be worn with the Class B uniform in cold weather.

Prescription eyeglasses are permitted.

Sunglasses are permitted, so long as they do not have mirrored frames and are conservative in style.

Helmets may be donned when a tactical need exists.

### **501.6 Reflective Vests**

A WCPD issued reflective vest will be worn whenever an officer is directing traffic, on foot on a public road, or is directly exposed to vehicle traffic for an extended period of time.

### **501.7 Rank Insignia**

Sworn officers will wear such insignia of rank as issued or prescribed by the Department. Rank insignia shall be worn with all uniform classes.

**Sergeant:** Three sleeve chevrons centered on each uniform shirt sleeve, centered approximately 5-6 inches below the shoulder seam.

**Lieutenant:** Single gold bars worn in a symmetrical pair, centered between the top and bottom edge of the insignia, approximately one inch from the front of the collars of uniform shirts.

**Chief of Police:** Single gold five-pointed star worn in a symmetrical pair, centered between the top and bottom edge of the insignia, approximately one inch from the front of the collars of uniform shirts.

## **501.8 Award Ribbons**

Award ribbons may be worn in a line centered and one-quarter inch above the top of the right breast pocket of the Class A or B uniform shirt.

The line of ribbons will not be broken, and will not extend past either edge of the pocket. Ribbons will be worn on an authorized ribbon bar. No part of the bar should be visible. Three award ribbons shall constitute a complete line. If necessary, additional lines will begin centered above the first.

Awards will be worn in a descending order with the highest award ribbon placed closest to the heart. If more than one row is used, the higher precedence awards will be on the top.

Only the initial ribbon received for any award type will be worn. Subsequent awards of the same type will be indicated by authorized stars placed on the first award ribbon.

## **501.9 Non-Sworn Dress Code**

WCPD Security Officers shall wear a WCPD-issued black polo shirt with embroidered badge. Security officers shall wear appropriate brown or khaki-colored pants with the issued shirt. BDU pants, slacks, denims, dress pants, and cargo pants are all acceptable. WCPD Security Officers may choose their own footwear, though athletic style shoes are recommended. A WCPD-issued jacket or hoodie may be worn at the discretion of the employee.

Office staff and Bus Drivers will dress in “business casual” attire. Jeans are permitted on Fridays. Office staff will wear their college-issued name tags.

Excessively revealing clothing, or clothing with offensive or inappropriate images or words are prohibited.

## **GO 502: Body Armor and Patrol Plate Carriers**

### **502.1 Purpose and Scope**

This section covers the acquisition and use of soft body armor and heavy patrol plate carriers.

Definitions:

**Body Armor:** For purposes of these orders, Body Armor refers to flexible panels of bullet-resistant materials contained within a carrier, designed to afford protection to the torso. Body armor can be worn under the uniform shirt or in an external carrier which matches the color of the uniform shirt.

**Patrol Plate Carrier:** The term Patrol Plate Carrier refers to hard metal, ceramic, or polymer armor plates contained in a carrier which is worn on the outside of the uniform, as an added layer of protection beyond regular soft body armor. Patrol Plate Carriers are designed to offer some protection from high-powered rifle rounds.

## **502.2 Body Armor**

WCPD will issue body armor to authorized employees. It is understood that body armor degrades over time and will need to be replaced periodically.

The Chief of Police reserves the right to restrict the activities of officers whose body armor is unavailable.

Issued body armor is considered part of the WCPD uniform, and must be worn at all times by uniformed officers engaged in field duty, including overtime assignments, whether college-sponsored or extra-duty.

Officers may remove their body armor for comfort when in the office for extended periods, but need to have the armor readily accessible. Officers must put their armor back on before leaving the office to resume field duty.

## **502.3 Patrol Plate Carriers**

Due to the increased threat of suspects armed with high-powered weapons, WCPD may issue enhanced ballistic plates and carriers (Patrol Plate Carriers) to authorized employees. Patrol plate carriers are intended to offer a higher level of ballistic protection for employees responding to incidents where the possibility of engaging a suspect with a high-powered firearm is present.

Examples of when the heavy vest may be deployed are active shooters, calls in which a subject is believed to be armed with a firearm, and forced entries. Other scenarios may be presented where the use of patrol plate carriers is appropriate. Patrol plate carriers are not intended to be worn at all times, or during routine police activities where there is no elevated threat level. The decision of whether or not to don a patrol plate carrier in a given situation shall be at the discretion of the individual officer.

## **502.4 Replacement of Defective/Expired Armor**

Any issued body armor or patrol plate carrier believed to be defective will be immediately reported and returned to the vendor/manufacture as applicable. WCPD will work with the vendor/manufacture to have the armor repaired or replaced. Defective or expired body armor or patrol plate carriers will be promptly replaced by WCPD, at no expense to the officer.

## **502.5 Storage and Care**

Body armor and patrol plate carriers must be stored in an air-conditioned location to minimize heat damage. Specifically, patrol plate carriers and body armor will not be stored in vehicles when the assigned officer is not on duty.

Soft body armor should not be stored for extended periods with folds to the armor panels. Officers should be aware that prolonged storage on a coat rack or clothes hangar may cause the shoulder straps of body armor to stretch, which could affect the fit of the armor. Ideally, soft body armor should be stored unfolded on a flat surface.

Officers will exhibit reasonable care of their assigned body armor and patrol plate carriers. Officers will promptly report any damage to these items to their supervisor.

## **502.6 Training Required**

Prior to being issued body armor or patrol plate carriers, officers will receive mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of these items. Such training may include formal online instruction, review of the above policy, or in-person conversations with supervisors. Officers may be required to formally acknowledge receipt of this training.

## **GO 503: Duty Firearms**

### **503.1 Purpose and Scope**

This order sets guidelines on the types of authorized weapons and ammunitions, as well as procedures for registration, qualification, and proficiency with authorized duty weapons. For purposes of this order, on-duty is defined as any activity in which the employee is receiving compensation or benefit as a result of their employment with Weatherford College, or wearing any part of the WCPD uniform.

### **503.2 Authorization to Carry Firearms**

Only sworn personnel who have met all state standards, required training, and have been authorized by the Chief of Police shall be able to carry a firearm on-duty. Nothing in this directive shall be construed to prevent employees from using any weapon at their disposal for protection from death or serious bodily injury in a bona fide emergency.

### **503.3 Safe Handling of Firearms**

WCPD employees shall always maintain the highest level of safety when handling firearms. Officers will not display or handle firearms unless there is a valid reason for doing so.

Any unintentional firearm discharge by an employee will be reported immediately to a supervisor. If the unintentional discharge is deemed negligent, the employee will be considered in violation of general orders.

Officers shall ensure that all firearms are secured in a manner that will keep them inaccessible to children and irresponsibly adults.

### **503.4 Annual Firearms Qualification**

It is the responsibility of every sworn employee to complete their annual firearms qualification, and submit the documentation of this to the Administrative Sgt. All sworn officers must qualify

annually with their primary duty pistol, along with any backup weapons, shotguns, and rifles as applicable.

The WCPD rangemaster is a sworn WCPD officer who is certified by TCOLE as a firearms instructor. The rangemaster is responsible for administering range qualifications and inspecting duty weapons.

WCPD will provide sworn employees with at least one opportunity to qualify with their duty weapons annually. Sworn employees who are unable to attend on the designated qualification date, shall make arrangements with the WCPD rangemaster or a partner agency to facilitate their annual qualification.

WCPD may allow certified peace officers from other agencies to attend and participate in WCPD-hosted firearms qualifications. This will be at the discretion of the WCPD rangemaster. No nonsworn personnel or guests will be permitted to participate.

During annual qualifications, the WCPD rangemaster will inspect duty weapons to ensure they are in proper working order.

### **503.5 Authorized Firearms**

**Primary Duty Pistols:** Upon request, WCPD will issue a .40 caliber Glock 22 handgun to sworn officers as their primary duty weapon. Sworn officers may also choose to provide their own primary duty pistol at their expense. Officer-supplied primary duty pistols must be large frame semiautomatic pistols chambered in 9mm, .40 caliber, or .45 caliber. Officer-supplied primary duty pistols must be approved by the Chief of Police or WCPD rangemaster prior to being carried.

**Other Pistols:** WCPD does not issue backup pistols, but officers may supply them at their own expense. Similarly, officers may choose to carry a pistol other than their primary duty pistol when on plain clothes or office assignments, or when carrying off-duty. Backup and plain clothes pistols must be approved by the WCPD rangemaster or Chief of Police.

**Rifles:** WCPD has acquired AR-15 platform rifles for use at both the main campus and Wise County campus. These rifles will be tested and inspected during the annual firearms qualification. These rifles are the responsibility of the Operations Sgt and Wise County Sgt respectively. These rifles will be stored in a safe within the WCPD office at each campus, and will always be ready for use.

WCPD officers may supply their own AR-15 style rifle or Ruger Scout Rifle at the expense of the officer. Such rifles must be inspected and approved by the WCPD rangemaster or Chief of Police prior to being deployed.

Officers will not carry rifles on routine calls for police service, unless there is a reasonable chance such weapons will be needed, based on the totality of the circumstances known to the officer when responding.

**Shotguns:** WCPD has acquired Remington 12 gauge pump-action shotguns for use at both the main campus and Wise County campus. These weapons will be tested and inspected during the annual firearms qualification. These shotguns are the responsibility of the Operations Sgt and

Wise County Sgt respectively. These shotguns will be stored in a safe within the WCPD office at each campus, and will always be ready for use.

WCPD officers may supply their own 12 gauge pump-action shotguns at their own expense. Such shotguns must be inspected and approved by the WCPD rangemaster to Chief of Police prior to being deployed.

Officers will not carry shotguns on routine calls for police service, unless there is a reasonable chance such weapons will be needed, based on the totality of the circumstances known to the officer when responding.

### **503.6 Ammunition**

WCPD will supply duty ammunition for all firearms carried on duty.

Speer Gold Dot, Hornady Critical Duty, and Hornady Critical Defense are authorized duty ammunition for pistols.

Speer Gold Dot is the authorized duty ammunition for rifles.

Both reduced recoil 00 buck and slug ammunition are authorized duty ammunition for shotguns. Specific brands will be authorized by the Chief of Police or WCPD rangemaster.

WCPD does not stipulate specific ammunition brands for practice use.

### **503.7 Firearms Practice**

WCPD officers are allowed to practice at least once monthly with firearms while on-duty. Officers may obtain a range card and ammunition from the Operations Sgt for this purpose. WCPD officers are also encouraged to practice while off duty.

## **Chapter 6: Personnel Matters**

### **GO 600: General Conduct and Responsibilities**

#### **600.1 Purpose and Scope**

It is the policy of the Weatherford College Police Department that employees conduct themselves at all times in a manner that reflects the ethical standards consistent with WCPD written directives. This order shall apply to all sworn and civilian members, including volunteer, part-time, reservists, and non-paid persons affiliated with the department through a college-sponsored program while under the direction of a WCPD employee.

This order is intended to guide employees in conducting themselves and their affairs, both on-duty and off-duty, in a manner that reflects the professionalism required of department personnel. Furthermore, this order is intended for internal use only, and shall not be construed to increase or establish an employee's civil or criminal liability, nor shall it be construed to create or establish a higher standard of safety or care.

#### **600.2 Responsibility to Know and Comply**

The rules of conduct set forth in this order do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.

Employees will maintain a working knowledge and comply with the laws, ordinances, statutes, regulations, and written Weatherford College and WCPD directives which pertain to their assigned duties.

Employees who do not understand their assigned duties or responsibilities will read the relevant directives and guidelines, and will consult their immediate supervisor for clarification and explanation.

A lack of knowledge of a written directive is not a defense to disciplinary action.

#### **600.3 Required Reporting of Violations**

WCPD employees have an obligation and responsibility to report all facts or credible information they know regarding any criminal activity by other college employee or any breach of Weatherford College or WCPD written directives.

WCPD employees with credible information concerning criminal activity of another Weatherford College employee to the Chief of Police.

Employees will report any employee known or believed to be guilty of any violation of a rule, regulation, or order issued by Weatherford College or WCPD to their immediate supervisor. If

the information is credible, the supervisor will promptly contact Human Resources and/or the Chief of Police as appropriate.

#### **600.4 Retaliation Prohibited**

WCPD employees will not, in any way, cause or conspire to cause retaliatory action against any individual who has been involved in any internal or administrative investigation as a defendant, complainant, witness, victim, investigator, or any other capacity.

#### **600.5 Honesty**

Honesty is of the utmost importance in the police profession. WCPD employees are expected to be truthful at all times in the performance of their duties, unless deceit is necessary to maintain the integrity of a criminal investigation. For example, an undercover officer is not required to answer honestly when asked if they are a police officer.

WCPD employees will be truthful in all reports and written communications. Any statement or omission of pertinent or material information which intentionally misrepresents facts or misleads others through an official statement will be considered a false official statement.

WCPD employees will not attempt to conceal, divert, or mitigate their true culpability in a situation, nor will they engage in efforts to thwart, influence or interfere with an internal, administrative, or criminal investigation.

WCPD employees who obtain their employment by willful misrepresentation or false statements may be dismissed from the department.

WCPD employees will not use any improper or dishonest means to affect the outcome of any official test, process, or procedure.

WCPD employees will not falsely report themselves ill or injured, or otherwise deceive or attempt to deceive their employer regarding their condition.

#### **600.6 Acts Bringing Discredit Upon the Department**

WCPD Employees must conduct themselves at all times, both on and off-duty, in a manner which does not bring reproach, discredit, or embarrassment to the Department or Weatherford College.

WCPD Employees will not commit any act which tends to destroy public confidence in, and respect for, WCPD.

WCPD Employees will not engage in any activity in which there is a potential for conflict of interest with the lawful duties of the employee.



### **600.7 Prohibited Associations**

WCPD employees will not establish an external social relationship with a known victim, witness, or known suspect of a crime while such a case is being investigated by WCPD.

WCPD employees will not establish social and/or business dealings with persons they know, or should know, are likely to adversely affect the employee's or Department's credibility. WCPD Employees will not associate with convicted felons.

WCPD employees will not knowingly associate with any criminal organization, or any person or organization which advocates hatred, prejudice, or oppression of any person or group.

WCPD employees will not become members of any organization, association, or group which advocates the commission of acts of force or violence to deny others their rights under the Constitution of the United States.

Provisions of this section do not apply to association based on kinship or the discharge of official duties.

### **600.8 Personal Conduct**

WCPD employees will not knowingly enter an establishment engaged in prostitution, illegal gambling, or any establishment wherein laws are being violated, unless as part of their official duties.

Supervisors will not place themselves under financial obligation to a subordinate.

WCPD employees will not post or display patently offensive or lewd pictures online or in the workplace. WCPD employees will not post or display material which would reasonably be expected to degrade or lower the self-esteem of fellow Weatherford College employees or students.

While on college property or on-duty, WCPD employees will not engage in any sexual conduct, including lewd acts or solicitation for sex.

WCPD employees will not intentionally use their affiliation with the Department to influence another into offering a gift, gratuity, free or discounted service, reward, or special consideration.

### **600.9 Requirements of Duty**

WCPD employees will satisfactorily perform their duties.

WCPD employees will maintain themselves in such a physical condition as to be able to handle the requirements of their assignment.

Sworn employees will not exhibit cowardice or shirk their duty in case of danger.

WCPD employees will report for duty in emergency situations if available when requested by their supervisor or the Chief of Police.

WCPD employees will report for all assignments at the designated time and place, and be properly prepared and equipped to assume their duties.

WCPD employees will remain alert and observant while on-duty and devote their time and attention to the business of the Department. Exceptions require supervisor approval.

### **600.10 Duty to Identify**

Unless doing so would jeopardize an ongoing criminal investigation, or pose a safety/security risk, WCPD employees will furnish the name of any WCPD employee, including themselves, to any person requesting such information regarding matters in which the employee was acting in an official capacity.

Sworn employees taking police action while not in uniform will, as soon as possible, display their police badge or WCPD ID, and state the purpose for taking police action.

WCPD employees will provide the name and business phone number of their immediate supervisor upon request by any person.

### **600.11 Responsibility to Coworkers**

WCPD employees are expected to treat each other with respect. WCPD employees will not threaten, display physical aggression toward, or use abusive language toward one another. Employees will not knowingly aid, abet, or assist another WCPD employee in violating any WCPD directive or order. WCPD employees will not publicly criticize the work or the manner of performance of duty of any other WCPD employee.

Sworn employees are expected to take appropriate action to aid, assist, and protect fellow WCPD employees in times of danger.

## **GO 601: Misconduct Allegations**

### **601.1 Purpose and Scope**

To establish guidelines for investigating allegations of misconduct.

### **601.2 Definitions and References**

**License Holder:** A Texas County Jailer, Peace Officer, or Telecommunicator

**Allegation of Misconduct:** A written complaint of misconduct, as defined below, and signed by the complainant.

**Misconduct:** Violations of federal or state laws or local ordinances and alleged conduct including: use of excessive force, untruthfulness, unlawful search, unlawful arrest, civil rights

violations, racially motivated police actions, discrimination, sexual harassment, or any conduct that seriously degrades the integrity or good order of the organization.

For purposes of this policy, allegations of untruthfulness shall include false, untrue, or misleading statements, either by overt means or by omission. Misconduct does not include minor rule violations of a less serious nature.

**Summary Report:** A report providing a description of each allegation of misconduct, the investigative findings of each allegation, including whether sustained or not sustained, and the final disposition of each allegation.

**TCOLE:** Texas Commission on Law Enforcement

### **601.3 Investigation Procedures**

This agency (WCPD) shall investigate allegations of misconduct that may result in suspension, demotion, or termination at the time the agency becomes aware of the alleged misconduct.

WCPD will initiate an appropriate administrative or criminal investigation into alleged misconduct of a license holder employed by this agency at the time the agency becomes aware of the alleged misconduct.

Such investigations will be completed within 180 days, absent other applicable laws, provisions of collective bargaining, meet and confer, other agreements, or policies.

The Administrative Sergeant is normally responsible for conducting misconduct investigations. At his/her discretion, the Chief of Police may personally investigate an allegation, or assign it to another investigator.

WCPD will report to TCOLE an investigation into alleged criminal misconduct for which charges are filed against the license holder within 30 days after the investigation is completed.

When an administrative investigation of alleged misconduct is completed, on a template provide by TCOLE, WCPD will prepare and submit to TCOLE a summary report of the investigation in a timely manner, but not later than the 30<sup>th</sup> day after the date of the license holder's separation from the agency, if applicable.

WCPD will include documentation of the completed investigation in the license holder's personnel file maintained by the agency as described by Texas Occupations Code 1701.4535 or 1701.4522 as applicable.

WCPD will notify TCOLE if the matter is under appeal. The agency shall notify TCOLE of the disposition of an appeal within 30 days of receipt of the decision.

If a license holder separates from this agency (WCPD) during the pendency of an investigation of misconduct, the agency shall complete the investigation, and submit a summary report to TCOLE regardless of the findings.

## **601.4 Complaint Intake**

Initial complaints of misconduct may be accepted by WCPD by email, telephone, or in person:

Email: [wcpd@wc.edu](mailto:wcpd@wc.edu)

Physical Address: 225 College Park Drive, Weatherford, Texas, 76086

Telephone: 817-598-6316

All complaints, even those which are objectively trivial in nature, shall be forwarded to the Chief of Police for review. Complaints that do not rise to the level of a criminal or policy violation may be mediated or otherwise resolved at the sole discretion of the Chief of Police.

Before a formal investigation can take place, the complainant must provide a signed, written complaint. In the event that a complainant provides credible information regarding misconduct, but refuses to sign a written complaint, any member of the Weatherford College Police Department may complete and sign a complaint form regarding the situation.

## **GO 602: Hiring Peace Officers**

### **602.1 Purpose and Scope**

This order establishes guidelines for hiring and background investigations for applicants for peace officer positions within WCPD. WCPD does not employ telecommunicators or jailers. Non-peace officer positions will be filled using established Weatherford College Human Resources department procedures.

### **602.2 Personal History Statement and Written Consent**

Applicants for employment as WCPD peace officers must submit a completed Personal History Statement (PHS). WCPD shall obtain written consent from each applicant before reviewing information required in the background investigation.

### **602.3 Background Investigation Records**

Before being hired, WCPD shall conduct a thorough background investigation on each peace officer applicant which includes, at a minimum, the information referenced below.

Personnel files, as described by Texas Occupations Code 1701.4535, and other employee records from each previous law enforcement agency employer, including the employment application submitted to the previous employer.

Employment termination reports and misconduct investigation reports maintained by TCOLE.

Service records maintained by TCOLE.

Proof that the person meets the minimum qualifications for enrollment in a training program under Texas Occupations Code 1701.251(a).

A military veteran's United States Department of Defense Form DD-214 or other military discharge record, if applicable.

Criminal history record information.

Information on pending warrants as available through the Texas Crime Information Center and National Crime Information Center.

Evidence of financial responsibility as required by Texas Transportation Code 601.051.

A driving record from the Department of Public Safety.

Proof of United States citizenship or, if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge, proof of legal permanent residence and proof that the person has applied for United States citizenship.

Information on the person's background from at least three personal references and at least two professional references.

Information on the person's law enforcement background as available through the National Decertification Index maintained by the International Association of Directors of Law Enforcement Standards and Training (IADLEST); and obtaining and reviewing records with entry agencies if a matching record exists.

If applicable, a file or record obtained by the commission under Texas Occupations Code 1701.3035.

#### **602.4 Background Investigation Process Guidelines**

Files and records must be reviewed electronically (such as through the secure electronic file sharing system provided by TCOLE, which is strongly encouraged due to confidentiality purposes) or in person (if the previous law enforcement agency agrees). File review may not be done by phone.

The investigator will provide the other agency with a copy of the applicant's signed Release of Information before obtaining and reviewing all files and records.

Agencies in other states and federal agencies do normally have access to the TCOLE file sharing system. If files from those agencies cannot be reviewed in person, other reasonable efforts should be made to review the files electronically. If the files cannot be reviewed, the investigator should document the reason why and the efforts that were made in the background investigation report.

If a Release of Information was provided and an agency does not respond to a file sharing request for records within ten business days and the investigator has made direct contact with the person from whom they are requesting files (such as through phone or email), the investigator should contact their TCOLE Field Service Agent for assistance.

An investigator must contact each agency to determine if records still exist regardless of records retention schedules. Some agencies retain records long past those schedules, and all available records must be reviewed.

If an agency no longer has records, most will upload a form letter to the file sharing system documenting the lack for records and the reason why. That letter should be added to the background investigation report.

If a previous agency no longer exists or is currently unmanned, the investigator should confirm and document the same in the background investigation report. The investigator should contact the governing body over a former or unstaffed agency to determine what records remain and how they can be accessed.

The background investigator shall document all findings pertinent to the background investigation in a background investigation report. A copy of the background investigation report shall be maintained in the employee's personnel file.

## **602.5 TCOLE Forms**

**L-1** TCOLE Appointment Application form.

**L-2** TCOLE Licensee Medical Condition Declaration form.

**L-3** TCOLE Licensee Psychological and Emotional Health Declaration form.

**L1-T** TCOLE Telecommunicator Appointment form.

During the appointment of any licensee, this agency will complete the appropriate background and appointment forms required by TCOLE. Such forms will document that all background investigation steps required by Texas Occupations Code 1701.451 were completed prior to appointment and how those steps were completed. The information certified on the forms shall be consistent with the process required in section 602.3 of these orders.

## **602.6 Medical Examination and Drug Screening**

Before being hired, each applicant for a WCPD peace officer position must undergo a drug screening by a physician licensed by the Texas Medical Board designated by WCPD.

Applicants for peace officer positions must also undergo a medical examination by a physician licensed by the Texas Medical Board designated by WCPD. The physician must be familiar with the duties appropriate to the type of appointment to be made.

If the applicant successfully passes the medical examination and drug screening, the provider administering the exam shall sign the L-2. The L-2 shall be included in the employee's personnel file.

If the applicant fails the medical examination or drug screening, this agency will report the failure to TCOLE on a form prescribed by TCOLE.

### **602.7 Psychological Examination**

Before being hired, each peace officer applicant must undergo a psychological examination conducted by a psychologist licensed by the Texas Board of Examiners of Psychologists or a psychiatrist licensed by the Texas Medical Board and certified by the American Board of Psychiatry and Neurology, as designated by this agency.

The psychologist or psychiatrist must be familiar with the job duties of the position the applicant applied for.

The psychologist or psychiatrist must be given a copy of the applicant's PHS and background investigation report to review before the examination.

The psychological examination must be conducted according to professional standards and include: use of at least two instruments, one measuring personality traits, and one measuring psychopathology; and conducting an interview after the two instruments above are scored and a review of the PHS and background investigation report.

If the applicant successfully passes the psychological examination, the psychologist or psychiatrist shall sign the L-3. The L-3 shall be included in the employee's personnel file.

If the applicant fails the psychological examination, WCPD will report the failure to TCOLE on a form prescribed by TCOLE.

### **602.8 Fingerprint Check Return**

Before being appointed, each peace officer applicant must successfully complete a fingerprint search of local, state, and United States records and fingerprint files to disclose any criminal record. A copy of the fingerprint check return shall be maintained in the personnel file.

### **602.9 Firearms Qualification**

If the applicant is a current Texas Peace Officer, the applicant must submit an official record of annual firearms qualification within the past 12 months or complete a firearms qualification prior to employment.

### **602.10 Appointment of Licensee**

Upon hiring, a complete and accurate L-1 will be submitted to TCOLE. A copy of the L-1 will be notarized and maintained in the employee's personnel file.

### **602.11 Provisional Hiring Period**

Peace Officer applicants hired while the subject of a misconduct investigation with a previous employing agency may initially be hired on a provisional basis of 90 days.

During that provisional period, WCPD will obtain and review the completed misconduct investigation report from the previous employing agency or TCOLE and may choose to terminate the provisional employment based on those findings.

This provisional period is unrelated to any other probationary hiring periods used by WCPD or Weatherford College.

## **GO 603: Personnel Files**

### **603.1 Purpose and Scope**

This order provides guidelines for the compilation and retention of personnel files.

### **603.2 Definitions**

**Personnel File:** A digital or physical file which contains, (1) Any letter, memorandum, or document relating to a commendation, congratulation, or honor bestowed on the license holder by a member of the public or by this agency for an action, duty, or activity that relates to the license holder's official duties; (2) Any misconduct, as defined by order 601.2, by the license holder if the letter, memorandum, or document is from the employing agency and resulted in disciplinary action; and (3) the periodic evaluation of the license holder by a supervisor. For reference, see Texas Local Government Code 143.089(a); Texas Occupations Code 1701.4535(a)(1).

**Department File:** Any information not included in the definition of Personnel File above, and referenced in order 603.4. See Texas Local Government Code 1701.4522 and .4535(c).

### **603.3 Personnel File Contents**

WCPD shall maintain a personnel file on each license holder employed by this agency.

If a negative letter, memorandum, document, or other notation of negative impact is included in a license holder's personnel file:

- (a) The Chief of Police or his/her designee shall, not later than the 30<sup>th</sup> day after the date of the inclusion, notify the affected license holder by certified mail, or by department or personal email, or in person;
- (b) Notice is considered to be received electronically by the license holder, provided it is sent to the department or personal email address listed in the holder's personnel file and the license holder confirms receipt.
- (c) If confirmation of receipt is not provided by the license holder within seven calendar days of being sent electronically, the Chief of Police, or his/her designee must send the notification by certified mail; and
- (d) The license holder may, on or before the 30<sup>th</sup> day after that the date of receipt of the notification, file a written response to the negative letter, memorandum, document, or other notation.



A license holder is entitled, on request, to a copy of any letter, memorandum, or document placed in the license holder's personnel file. WCPD may charge the license holder a reasonable fee not to exceed the actual cost of any copies.

WCPD may not release any information contained in a license holder's personnel file to any other agency or person requesting information relating to the license holder without the license holder's written permission, unless the release is required by law. Such inquiries shall be referred to the Chief of Police, or his/her designee.

As provided by Texas Occupations Code 1701.451, a law enforcement agency hiring a license holder is entitled to view the contents of the license holder's personnel file.

WCPD shall provide a license holder's personnel file to TCOLE not later than the 30<sup>th</sup> day after the date the license holder separates from the agency, or on request by TCOLE as part of an ongoing investigation relating to the license holder.

### **GO 603.4 Department File Contents**

Any letter, memorandum, or document relating to alleged misconduct by the license holder may not be placed in the license holder's personnel file if the agency determines there is insufficient evidence to sustain the charge of misconduct.

WCPD shall also maintain a file on a license holder employed by WCPD for the agency's use, including all information not contained in the Personnel File. This file should be marked Designated as Confidential for Statewide Employment Database under Texas Occupations Code 1701.168.

WCPD may not release any information referenced in GO 603.4 to any other agency or person requesting information relating to the license holder without the license holder's written permission unless the release is required by law. The agency shall refer the person or agency requesting the information to the Chief of Police or his/her designee.

As provided by Texas Occupations Code 1701.451, a law enforcement agency hiring a license holder is entitled to view the contents of the license holder's department file.

## **GO 604: Medical and Psychological Examination of a Licensee (Fitness-For-Duty-Examinations)**

### **604.1 Purpose and Scope**

Monitoring a member's fitness for duty, both medically and psychologically, is essential for the safety and welfare of the members of the agency and the community. The purpose of this policy is to ensure that all members of this agency remain medically and psychologically fit for duty and able to perform their essential job functions.

## **604.2 Policy**

The Weatherford College Police Department strives to provide a safe and productive work environment and ensure that all members of this agency can effectively perform the essential functions of their jobs. Under limited circumstances, WCPD may require a professional examination of a member's physical or mental capabilities to determine the ability to perform essential functions.

## **604.3 Member Responsibilities**

It is the responsibility of each member of this agency to maintain physical stamina and psychological stability sufficient to effectively perform the essential duties of the position.

Any member who feels unable to perform their duties shall promptly notify a supervisor. In the event a member believes that another agency member is unable to effectively perform their duties, such observations or belief shall be promptly reported to a supervisor.

## **604.4 Supervisor Responsibilities**

All supervisors should be alert to any indication that a WCPD employee may be unable to safely perform their duties due to an underlying physical or psychological impairment or condition.

Such indicators may include, but are not limited to the following:

- An abrupt and negative change to the employee's usual or normal behavior
- A pattern of irrational conduct, hostility, or oppositional behavior
- Personal expressions of instability
- Inappropriate use of alcohol or other substances, including prescribed drugs
- A pattern of questionable judgement, impulsive behavior, or the inability to manage emotions
- Any other factor, or combination of factors, causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention

Supervisors shall maintain the confidentiality of any information consistent with this policy.

## **604.5 Reporting**

A supervisor observing a member, or receiving a report of a member, who has just cause to believe the member is unable to effectively perform their duties, shall promptly document all objective information or observations.

The supervisor should attempt to meet with the employee to inquire about the conduct or behavior giving rise to concerns.

If a meeting does not resolve the supervisor's concerns, or does not take place, the supervisor shall promptly document observations and actions in writing and inform the Chief of Police.

#### **604.6 Duty Status Fitness-For-Duty Examination**

The appropriate supervisors within the member's chain of command should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can effectively perform essential job functions, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that there is just cause to believe the member's conduct or behavior represents an inability to effectively perform essential job functions, the appropriate supervisor should immediately relieve the member of duty pending further examination.

Members relieved of duty shall comply with the administrative leave provisions as set out by WCPD and Weatherford College policy.

The Chief of Police shall be promptly notified if any member is relieved of duty.

#### **604.7 Fitness-For-Duty-Examination**

A fitness-for-duty examination (FFDE) may be ordered whenever circumstances reasonably indicate that a member is unfit for duty.

**Definition of a Fitness for Duty Examination:** Ann FFDE is a formal, specialized examination of an incumbent member that results from:

- a) Objective evidence that the member may be unable to effectively perform a defined job function; and
- b) A reasonable basis for believing that the cause may be attributable to a medical or psychological condition or impairment

As such, an FFDE is considered a "medical" examination under the terms of the Americans with Disabilities Act. The central purpose of an FFDE is to determine whether the member is able to effectively perform his or her essential job functions.

#### **604.8 Threshold Considerations for an FFDE**

Referring a member for an FFDE is indicated whenever there is an objective and reasonable basis for believing that the member, as a result of a medical or psychological condition or impairment:

- a) May be unable to perform one or more essential job functions; or
- b) Poses a direct threat to themselves or others

An objective basis is one that is not merely speculative, but derives from direct observation or other reliable evidence.

When deciding whether to conduct an FFDE, but the employer and examiner may benefit from considering its potential usefulness and appropriateness given the specific circumstances, and

the employer may consider whether other remedies (for example, education, training, discipline, physical FFDE) are appropriate.

The examiner strives to remain impartial and objective and to avoid undue influences by any of the parties involved in the case.

Mental health professionals refrain from rendering fitness-for-duty opinions when they are not conducting an FFDE.

#### **604.9 Process for Non-Sworn Personnel**

The Chief of Police, in cooperation with Weatherford College HR, may order a member to undergo an FFDE whenever a question arises as to whether the member is medically or psychologically fit to continue their duties. The examination shall be conducted by the member's personal physician, psychiatrist, or psychologist, as required by policy.

To facilitate the examination of any member, the agency will provide all appropriate documents and available information to the person or entity responsible for conducting the examination.

The examining practitioner will provide the agency with a report indicating whether the member is fit for duty. If the member is unfit for duty, the practitioner will include the existing restrictions or conditions in the report.

A second examination may be ordered by the appropriate authority if the member or Chief of Police questions the practitioner's report. The examination will be conducted by a physician, psychiatrist, or psychologist appointed in accordance with the procedure adopted by the governing body. If the report of the appointed practitioner disagrees with the report of the initial practitioner, the final determination as to the member's fitness shall be decided in accordance with applicable laws, other agreements, or policies.

All reports and examinations submitted by the examining practitioner shall be part of the member's confidential medical file.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with Weatherford College Human Resources.

Any member ordered to undergo a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

#### **604.10 Process for Peace Officers**

The Chief of Police, in cooperation with Weatherford College Human Resources, may order a WCPD Peace Officer to undergo an FFDE whenever a question arises as to whether the officer is medically or psychologically fit to continue in their duties. The examination shall be conducted by the officer's chosen physician, psychiatrist, or psychologist, as appropriate and in accordance with applicable laws, including the Texas Local Government Code §§ 143.081 and .1115, other agreements, or policies.

The Chief of Police shall provide written notice of the examination to the license holder not later than the tenth business day before the deadline to submit to the examination. Written notice shall include the reasons for the examination.

To facilitate the examination of any member, the agency will provide all appropriate documents and available information.

The examining practitioner will provide the agency with a report indicating whether the officer is fit for duty. If the officer is unfit for duty, the practitioner will include the existing restrictions or conditions in the report.

A second examination may be ordered by the appropriate authority if the officer, the civil service commission, or the Chief of Police questions the practitioner's report. The examination will be conducted by a physician, psychiatrist, or psychologist appointed in accordance with the procedure applied by the governing body. If the report of the appointed practitioner disagrees with the report of the initial practitioner, the final determination as to the officer's fitness shall be decided in accordance with applicable laws, other agreements, or policies.

All reports and examinations submitted by the examining practitioner shall be part of the officer's confidential medical file.

Determinations regarding duty status of officers who are found to be unfit for duty, or fit for duty with limitations, will be made in cooperation with Weatherford College Human Resources.

Any officer ordered to undergo an FFDE shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the officer to discipline, up to and including termination.

#### **604.11 Agency's Responsibilities to Notify TCOLE**

**License Holder:** A Texas County Jailer, Peace Officer, or Telecommunicator.

The Chief of Police shall notify the Texas Commission on Law Enforcement (TCOLE) upon final determination that a license holder is unable to effectively perform essential job functions. This notification shall be in writing and submitted to TCOLE within 30 days of the final determination that the license holder is unable to effectively perform essential job functions.

The Chief of Police shall notify TCOLE if the license holder fails to submit to an exam within the deadline set by the agency. The notification shall be in writing and submitted to TCOLE within 30 days after the deadline set by the agency has expired.

The Chief of Police shall notify TCOLE as soon as practicable if a license holder has completed the required exam or received notice that the license holder's circumstances have been successfully resolved.

## **604.12 Fitness-For-Duty Examination Minimum Standards**

Given the nature of these examinations and the potential consequences to the employer, the examiner, and the public, it is important for examiners to perform FFDEs with maximum attention to the relevant legal, ethical, and practice standards and guidelines. Such standards include, but are not limited to, the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct. Consequently, it is recommended that these examinations be conducted by a psychologist, psychiatrist, or medical doctor with the appropriate qualifications.

Depending on the referral question and the examiner's professional judgement, an FFDE examiner strives to utilize multiple methods and data sources to optimize the accuracy of findings. Examiners integrate the various data sources, assigning them relative weight according to their known reliability and validity. The range of methods and data sources used by an FFDE examiner can vary, but such suggestions and further information about this process can be found in the International Association of Chiefs of Police (IACP) 2018 Psychological Fitness-For-Duty Examination.

When conducting the FFDE, it may be necessary for the examiner to receive background and collateral information regarding the employee's past and recent performance, conduct, and functioning. This may include, but is not limited to, job class specifications or job description, performance evaluations, previous remediation efforts, commendations, testimonials, internal affairs investigations, formal citizen or public complaints, use-of-force incidents, reports related to officer-involved shootings, civil claims, disciplinary actions, incident reports of any triggering events, health care records, prior psychological examinations, and other supporting or relevant documentation related to the member's psychological fitness for duty. In some cases, an examiner may ask the examinee to provide relevant medical or mental health treatment records and other data for the examiner to consider. It is important that all collected information be related to job performance issues or the suspected job-impairing mental condition. Where possible and relevant, it may prove helpful to gather information from other collateral sources.

## **604.13 Appeals**

Employees disputing the application or interpretation of this order may submit a grievance to Weatherford College Human Resources.

## **604.14 Resources for Medical and Psychological Examinations**

- 1. 2018 Psychological Fitness-for-Duty Evaluation Guidelines from IACP*
- 2. The APA Professional Practice Guidelines for Occupationally Mandated Psychological Evaluations*
- 3. 2017 American College of Occupational and Environmental Medicine Guidance for the Medical Evaluation of Law Enforcement Officers.*

## **GO 605: Reporting of Employee Arrests and Police Involvement**

### **605.1 Purpose and Scope**

Arrests and convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. All employees shall report any arrest, charge, or indictment of a criminal offense.

### **908.3 Criminal Offenses**

State law prohibits any person convicted of a felony from being a Peace Officer in the State of Texas. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty plea, or *nolo contendere* plea.

Convictions of certain violations of the Texas Transportation Code (e.g., suspended driver's license) and other provisions of law may also place restrictions on an employee's ability to further perform the duties of the job.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

### **605.3 Disqualification from Firearms Possession**

Texas and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm.

All employees are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this order.

### **605.4 Employee Domestic Violence**

WCPD has a zero-tolerance position toward domestic violence. Early prevention strategies will be used to avoid or minimize the occurrence and effects of domestic violence. WCPD employees with knowledge of suspected abuse or violence involving another college employee shall report it to their immediate supervisor. Supervisors will monitor WCPD employees for warning signs of domestic violence. If warning signs exist, intervention measures must be taken. Such measures include, but are not limited to:

- Meeting with the employee to discuss concerns
- Referral to Weatherford College counselors
- Referral to the Employee Assistance Program
- Development of a safety/prevention plan
- Contacting with jurisdictionally appropriate law enforcement agencies for protective orders and/or criminal charges.

## **605.5 Internal Reporting Procedures**

Employees who are arrested will inform the booking officer that they are employed by WCPD, and request that the WCPD Chief of Police be immediately notified of the arrest.

Employees will immediately report to their supervisor, with a follow up email or phone call to the Chief of Police of:

- Any arrests, criminal charges, or criminal court actions brought against the employee
- Any time an employee is involved in an off-duty incident that results in a response from any law enforcement agency, with the exception of traffic violations, minor collisions, and other minor calls for service where the employee is not considered a suspect.
- Any time an employee becomes the subject of a family violence protective order

Employees who receive a criminal conviction which unduly restricts or prohibits them from fully and properly performing their duties may be disciplined up to and including indefinite suspension/termination.

Employees failing to provide prompt notice pursuant to this order are subject to discipline.

## **605.6 TCOLE Reporting**

When a peace officer or county jailer is arrested, the Chief of the arresting agency must report such fact, as mandated by 37 Texas Admin. Code 211.28, to TCOLE within 30 business days of the arrest.

In addition, the Chief of Police must report the arrest, charge, or conviction of any person who is under appointment with this department to TCOLE within 30 days of the arrest, as mandated by 37 Texas Admin. Code 211.29.

Employees who hold a TCOLE license shall report to the commission in writing within 30 days:

- Any name change
- A permanent mailing address change
- An arrest, charge, or indictment for a criminal offense above the grade of a class C misdemeanor, or for any class C misdemeanor involving the duties and responsibilities of office or family violence, including the name of the arresting agency, the style, court, and cause number of the charge or indictment, if applicable.
- The final disposition of the criminal action

## **GO 606: Discrimination, Harassment, Sexual Harassment, and Retaliation**

### **606.1 Purpose and Scope**

The purpose of this order is to prevent WCPD employees from being subjected to discrimination, harassment, sexual harassment, or retaliation.



The Weatherford College Police Department is committed to providing a work environment that is free of discrimination, harassment, sexual harassment, and retaliation. WCPD ensures equal employment opportunities for all employees. Discrimination, harassment, sexual harassment, and retaliation based on a protected class, in any form, as defined in federal, state, or local law, will not be tolerated. Protected classes include race, color, religion, creed, sex, gender, pregnancy status, genetic information, sexual orientation, gender identity, national origin, ethnicity, age, disability, veteran status, or other legally protected class.

Every employee is responsible for maintaining a professional environment free of discrimination, harassment, sexual harassment, and retaliation. Employees shall report conduct that that interferes with providing such an environment.

Findings of discrimination, harassment, sexual harassment, or retaliation against an employee may result in discipline up to and including discharge or indefinite suspension.

### **606.2 Discrimination Prohibited**

Discrimination is the unequal or differential treatment of an individual in any employment or personnel action based on membership in a protected class, as per order 606.1. WCPD will recruit, hire, train, compensate, discipline, provide benefits, and promote without regard to protected class membership. WCPD will employ practices designed to ensure equal employment opportunity.

WCPD will ensure that employees are selected and promoted based on merit and fitness without discrimination, in accordance with state and federal law.

### **606.3 Harassment Prohibited**

Harassment is unwelcome verbal or physical conduct toward and individual or group because of a protected class. Harassment can create a hostile work environment when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affects an individual's employment opportunities. Employees shall not engage in conduct which could reasonably create a hostile work environment.

### **606.4 Sexual Harassment Prohibited**

Sexual harassment is any unwelcome sex or gender-based comments and/or conduct that occurs when:

1. Submission to such conduct is made either openly or by implication a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that person; or
3. Such conduct unreasonably interferes with the individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment is strictly prohibited by WCPD. Sex or gender-based and/or sexually oriented jokes, remarks, gestures, or pictures which may be offensive to other employees will not be tolerated.

### **606.5 Retaliation Prohibited**

WCPD is committed to maintaining a work environment which is free of retaliation. Retaliation is defined as an action or inaction that adversely affects the terms and conditions of employment, and is taken in response to an employee's good faith complaint, participation in an investigation, proceeding, or hearing, or an employee's exercise of rights or benefits authorized under Weatherford College policies, procedures, or these orders.

## **GO 607: Drug and Alcohol-Free Workplace**

### **607.1 Purpose and Scope**

WCPD believes employees have a right to work in an environment free of drugs and alcohol. Persons under the influence of drugs or alcohol may pose serious safety, health, and security risks to the public and to other Weatherford College employees. This order provides directives concerning the use or presence of drugs and alcohol in the workplace and off-duty.

### **607.2 General Guidelines**

WCPD employees are prohibited from:

1. Reporting to work under the influence of alcohol or illegal drugs.
2. Reporting to work under the influence of any prescription or over-the-counter drug that would adversely affect their senses or judgement.
3. Reporting to work or driving a Weatherford College vehicle within four hours after having consumed an alcoholic beverage.
4. Consuming alcoholic beverages while on duty or on call.
5. Consuming or possessing alcoholic beverages while on College Property, or while wearing any part of the WCPD uniform.

This order does not prohibit the consumption of alcohol or other drugs as necessary in the performance of an employee's duties, when approved by the Chief of Police.

### **607.3 Responsibility to Report**

WCPD employees who use medication during work hours shall not allow such medication to impair their ability to perform their duties.

Employees who take any medication with side-effects which might impair their ability to fully and safely perform all requirements of their position shall report the need for such medication to their supervisor.

Supervisors will consult with the Chief of Police to make a determination whether to limit, suspend, or modify the employee's work activity, or otherwise reasonably accommodate such any adverse effects.

Employees may be requested to provide medical documentation of their ability to safely and effectively perform the essential function of their position. Employees shall not be permitted to work on or drive a Weatherford College vehicle while taking medication that could impair their ability without a written release from their physician.

Employees subjected to the passive inhalation or exposure to an illegal drug, must notify their supervisor.

## **GO 608: Awards and Commendations**

### **608.1 Purpose and Scope**

This order establishes directives regarding departmental commendations or awards to WCPD employees and other individuals.

### **608.2 Commendations**

Any employee, group of employees, or individual outside of the department may initiate the creation of a personal commendation to honor an employee or group of employees for exceptional performance.

All commendations will be routed to the Chief of Police, who will approve and present the commendation to the commended employee(s). The Police Office Specialist will retain commendations in the personnel file of the commended employee(s).

### **608.3 Awards Committee**

The Chief of Police will chair the awards committee, and select its other members. An awards committee will be assembled at least once a year, in advance of the departmental Christmas party. Such a committee may be formed at other times during the year, at the discretion of the Chief of Police.

The awards committee will discuss all awards above routine commendations. Final decisions on awards will be at the discretion of the Chief of Police. Awards will typically be given out during the annual Christmas party, but may be presented at other times of the year at the discretion of the Chief of Police.

Nominations for awards will be accepted at any time during the year by the Chief of Police.

## **608.4 Citizen Awards**

The following awards are authorized for citizens, and shall consist of a certificate mounted on a plaque or in an appropriate holder, or another appropriate trophy/award.

*Distinguished Service Citation:* Presented by the Chief of Police to award citizens for providing exceptional service to WCPD under emergency or hazardous conditions while displaying uncommon courage and good judgement.

*Certificate of Recognition:* Presented by the Chief of Police to award citizens for providing unexpected and exceptional service, without regard for compensation, to WCPD over any period of time. The provided service may include support of the department, officers, or the families of officers.

## **608.5 Employee Awards**

Sworn Peace Officers may choose to wear award ribbons with the standard class B patrol uniform. Award ribbons should be worn with the Class A formal uniform.

All awards will be presented by the Chief of Police.

All employees are eligible for the following awards:

*Medal of Valor:* Conferred for displaying exceptional bravery and courageous action, risking life or serious bodily injury, while in the performance of duty, thereby earning high honor and bringing favorable recognition to the department. Recipient will receive a medal, ribbon, "V" device, and certificate.

*Purple Heart:* Conferred for sustaining, through no fault of their own, serious bodily injury or death resulting from a suspect's actions in the line of duty under honorable circumstances. This award may also be conferred if serious bodily injury was averted by the use of body armor. Recipient will receive a medal, ribbon, and certificate.

*Life Saving Medal:* Conferred for making specific and direct intervention to save a human life. The person receiving the life-saving efforts needs to survive for at least 24 hours. Recipient will receive a medal, ribbon, and certificate.

*Meritorious Service Medal:* Conferred for meritorious service demonstrated through outstanding performance of duty under clearly hazardous and complicated conditions, or when the service delivered clearly contributed to a high degree of success in a difficult or complicated project or task by an individual employee. Recipient will receive a medal, ribbon, and certificate.

*Superior Service Citation:* Presented to employees for:

1. Demonstrating a superior commitment to quality service or caring service within the community or department;
2. Exhibiting outstanding problem-solving skills which bring recognition to the individual and department; or
3. Actions that go beyond the expected duties and responsibilities of the employee's job description within the department.

Recipient will receive a medal, ribbon, and certificate.

*Community Service Citation:* Presented to employees who engage in the following behavior over an extended or continuous period of time:

1. Demonstrating a voluntary act of donating time and devotion to the community while promoting the safety, health, education, or welfare of the citizens.
2. Providing volunteer community service which results in favorable recognition of the department; or
3. Actions that go beyond the required duties and responsibilities of the employee's job description that promote the department's community policing principles.

Recipient will receive a medal, ribbon, and certificate.

## **GO 609: Personal Appearance Standards**

### **609.1 Purpose and Scope**

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for the department and their assignment.

### **609.2 Hair**

Hair styles of all employees shall be neat and professional in appearance. Additionally, Security and sworn personnel shall adhere to the following:

Males: Hair must not extend below the top edge of the collar while assuming a normal stance, and shall not interfere with the wearing of any issued headgear. Dreadlocks, twists, and braids shall conform to uniform standards and shall be kept neat and clean. Males will not wear decorative items in their hair.

Females: Hair must not present a safety hazard, and may not extend below the bottoms of the shoulder blades. Hair may not interfere with the wearing of any issued headgear. Long hair should be worn in a bun or ponytail, or other conservative style which will prevent interference with duties. Hair clasps or barettes may be worn, but other decorative items are prohibited. Dreadlocks, twists, and braids shall conform to uniform standards and shall be kept neat and clean.

### **609.3 Facial Hair**

Male facial hair must conform to the following standards:

Mustaches: A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

Sideburns: Sideburns shall not extend below the top of the earlobes, and shall be trimmed and neat.

Beards/Goatees: Officers may maintain a neat and uniformly trimmed full beard or goatee; no more than one half inch in length. "Neck beards" are prohibited. Beards shaped into patterns or designs are prohibited.

#### **609.4 Fingernails**

Female fingernails may be painted or decorated so long as they do not interfere with job functions or create a safety hazard. Male fingernails shall be neatly trimmed so that they do not extend beyond the tip of the finger.

#### **609.5 Tattoos**

At no time while on-duty or representing WCPD in any official capacity shall any offensive tattoo or body art be visible. The Chief of Police has the authority to determine what constitutes an offensive tattoo.

No facial tattoos are permitted.

Tattoos which tend to show affiliation with criminal gangs or hate groups are prohibited and are grounds for termination.

#### **609.6 Body Piercing or Alteration**

Non-sworn office staff may wear earrings or body piercings, so long as they maintain a professional appearance, suitable for their assigned role. The Chief of Police has the authority to determine what constitutes a professional appearance for each role.

Body alteration to any part of the body which is visible while working, and is a deviation from normal anatomical features, and that is not medically required, is prohibited.

Security Officers and sworn personnel will adhere to the following additional guidelines:

1. Male officers will not wear earrings
2. Female officers may wear conservative ear jewelry, so long as it is professional in appearance and does not present a safety hazard or distraction.
3. Any other body piercing which is not concealed by the officer's clothing is prohibited while the employee is representing the department.

## **GO 610: Training and Career Development**

### **610.1 Purpose and Scope**

WCPD seeks to administer a training program that will provide for professional growth and continued development of personnel. By doing so, WCPD will ensure that its personnel possess the knowledge, skills, and abilities necessary to provide a professional level of service that meets the needs of Weatherford College.

## **610.2 Philosophy**

WCPD seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, WCPD will use courses certified by TCOLE for sworn employees.

## **610.3 General Guidelines**

Personnel may take any training provided by PoliceOne Academy or any zero-cost web-based source at their discretion, as long as it is pertinent to their job functions.

Employees are encouraged to seek out training opportunities.

In-person classes, or those with a cost associated with them, must be approved by the Chief of Police.

At his/her discretion, the Chief of Police may assign training classes to all WCPD personnel.

All WCPD employees will comply with state training mandates. WCPD will make reasonable efforts to ensure that employees have multiple opportunities to comply with TCOLE mandates, but it is the responsibility of each employee to complete the needed classes within the prescribed period.

Travel and lodging arrangements for training events will be coordinated by the Police Office Specialist in coordination with the Business Office.

## **610.4 Dress Code**

Employees will attend training, conferences, and seminars in uniform or authorized plain clothes attire. WCPD or Weatherford College issued polo shirts or other business casual attire is suitable for most training events. Blue jeans will not be worn to training classes unless authorized by the instructor.

The coordinator or sponsor of the training may direct an employee to wear other attire that is appropriate to the specific training activities or conditions.

## **GO 611: Physical Fitness**

### **611.1 Purpose and Scope**

This order establishes guidelines for physical fitness for WCPD employees.

## **611.2 General Guidelines**

All WCPD employees are encouraged to take a proactive stance regarding their general health and physical fitness. All WCPD employees are encouraged to take advantage of the many health and fitness resources provided by Weatherford College.

All sworn personnel and Security Officers must maintain sufficient physical fitness to ascend the stairs unassisted to the top floor of the tallest building on their assigned campus, while wearing their duty gear. The Chief of Police may order Security Officers and sworn personnel to demonstrate this ability at his/her discretion.

Since physical fitness is integral to the job functions of both Security Officers and sworn personnel, such employees are permitted to engage in exercise and fitness activities while on duty. Employees must remain on their assigned campus while engaging in on-duty fitness activities. Such activities must not interfere with other job functions, and must not consume an unreasonable portion of the employee's work day, as defined by the Chief of Police.

## **GO 612: Secondary Employment**

### **612.1 Purpose and Scope**

The purpose of this order is to provide guidelines for employees who work overtime at events not sponsored or affiliated with Weatherford College.

### **612.2 General Guidelines**

Secondary employment is a privilege, not a right. While allowing employees to pursue legitimate sources of secondary income, it is imperative to maintain and agency in which its employees are physically fit and mentally alert. Additionally, the appearance of impropriety must be avoided.

All non-Weatherford College overtime assignments must be approved by the Chief of Police.

An employee's first duty is to Weatherford College and WCPD. An employee will respond to any order to return to duty when issued by a supervisor, even if the employee is working secondary employment when called.

Sworn employees engaged in secondary employment will not refuse to assist anyone requesting reasonable law enforcement assistance.

Employees performing secondary employment are subject to the same rules and regulations as if they were on regular duty.

Unless approved by the Chief of Police, sworn employees will work outside overtime assignments in their regular patrol uniform.

When working a non-Weatherford College overtime assignment, WCPD officers will carry a police radio, and will provide the pertinent dispatch center with their assignment location, hours, and contact information.



### **612.3 Prohibitions**

Employees may not engage in secondary employment which may physically or mentally exhaust the employee to the point that the employee's job performance is affected.

Sworn WCPD employees are not permitted to obtain a permit or license from the Texas Board of Private Investigators and Private Security Agencies.

Sworn WCPD employees shall not work for, or engage in, the following types of employment:

- (a) A bad check or bill collector
- (b) A repossession agent or agency
- (c) A wrecker company
- (d) Any employment in which law enforcement authority might be used to collect money or merchandise for private purposes
- (e) A bar, nightclub, or other establishment which has the sale of alcoholic beverages as its principal source of income
- (f) A pawnshop
- (g) A sexually oriented business
- (h) For any person or organization which advocates hatred, prejudice, or oppression of any racial, ethnic, gender, or religious groups, or which disseminates defamatory materials
- (i) By political parties or candidates for elected office
- (j) Any business in which gambling is the principal source of income
- (k) By any employer known to engage in criminal activity

## **GO 613: Restricted and Administrative Duty**

### **613.1 Purpose and Scope**

The purpose of this order is to outline when and how an employee is placed on restricted or administrative duty. This order applies only to sworn personnel. For matters involving non-sworn personnel, refer to Weatherford College HR.

### **613.2 Restricted and Administrative Duty**

Employees involved in serious, critical, or traumatic incidents, not limited to shootings or fatality incidents, may be placed on restricted or administrative duty status to restrict their authorities or work functions. This may be done at any point during an investigation when maintaining regular duties may compromise the integrity or order of WCPD.

Employees will be placed on restricted or administrative duty when their actions or use of force in an official capacity result in death or serious bodily injury to another person.

Employees may be placed on restricted or administrative duty based on any of the following factors:

1. A compelling reason to believe the employee poses a threat to any person; or

2. A credible allegation of serious misconduct; or
3. The employee represents an increased potential liability to the department

### **613.3 Duty Restrictions**

Sworn personnel placed on restricted or administrative duty may be assigned to clerical or office duties at a Weatherford College campus or at home, and may have full, limited, or no police authority.

Any restrictions placed upon an employee on restricted or administrative duty status will be listed on a written direct order signed by the Chief of Police and the involved employee. This document will be retained by WCPD, and a copy will be given to the involved employee.

While on restricted or administrative duty, employees may be prohibited from specific actions, including but not limited to:

- (a) Enforcing laws or ordinances
- (b) Working overtime assignments
- (c) Accessing information contained in WCPD files or computer systems
- (d) Carrying any firearm on Weatherford College or WCPD facilities

Additionally, employees on restricted or administrative duty may be required to:

- (a) Report to a designated supervisor at specified times
- (b) Remain available for court appearances
- (c) Remain at their designated work station during duty hours unless on approved leave.
- (d) Furnish a phone number where they can be reached 24 hours a day.

### **613.4 Placement Procedures**

The Chief of Police may place an employee on restricted or administrative duty. When practical, this will be done after consultation with Weatherford College Human Resources.

The following steps are used to place employees on restricted or administrative duty:

1. Employees will be issued a signed written direct order from the Chief of Police immediately placing them on restricted or administrative duty, and listing all restrictions and requirements placed on the employee.
2. Employees will acknowledge the order by signing their name.
3. The Chief of Police may request that the employees Weatherford College computer access be suspended or restricted.
4. If required to do so, employees will turn in to the Chief of Police any Weatherford College issued equipment, including but not limited to ID cards, firearms, and badges.

### **613.5 Return to Full Duty Status**

Employees may be returned to full duty status at the direction of the Chief of Police, or by the order of a court.

Employees will be given a written document, signed by the Chief of Police, which reflects that the employee is returned to full duty status.

Once returned to full duty status, employees will have their computer access reinstated and be re-issued any equipment, as applicable.

# Chapter 7: Vehicle Fleet Operations

## GO 700: Vehicle Fleet Operations

### 700.1 Purpose and Scope

The Weatherford College Police Department has been tasked with managing the vehicle fleet of Weatherford College. This section is intended to provide guidelines on vehicle use, maintenance, and repair.

### 700.2 Definitions

**Vehicle Fleet** - The Weatherford College vehicle fleet consists of all motor vehicles, trailers, and utility (golf) carts, owned by Weatherford College. This includes vehicles assigned to general pool use, as well as those assigned to specific employees or departments. The Fleet Manager is the primary point of contact for fleet issues.

**Assigned Vehicles** – Vehicles within the fleet which are assigned to specific employees or departments. These vehicles typically remain in the care, custody, and control of their assigned employee or department, unless they are being serviced, or are needed in unusual or emergency circumstances.

**Pool Vehicles** – Vehicles which are not assigned out to specific employees or departments, and are available for check-out. When not checked-out, these vehicles will remain in the care, custody, and control of WCPD, and will be the responsibility of the Fleet Manager.

### 700.3 Vehicle Maintenance, Repairs, and Upkeep

The Fleet Manager is responsible for maintenance and upkeep of *pool vehicles*. The Fleet Manager will also assist with and coordinate the repairs and maintenance of *assigned vehicles*. It is the responsibility of those departments and employees to notify the Fleet Manager when their *assigned vehicle* needs service or has sustained damage. Funds for the repair and maintenance of *assigned vehicles* will be drawn from the budget of the department in possession of the vehicle.

In the event that an employee notices a smoking tail pipe, an activated malfunction indicator lamp, or other sign of possible malfunction or damage to a fleet vehicle, the employee will promptly report the issue to the Fleet Manager and/or WCPD administrative staff. The Fleet Manager will work to promptly resolve known malfunctions, damage, or mechanical issues.

In the event that a vehicle repair is estimated to cost more than 1500 dollars, a second estimate from a reputable vendor should be obtained. It is understood that a reasonable diagnostic fee may be incurred for a second opinion. Additional estimates beyond the second may be obtained at the discretion of the Chief or Fleet Manager.

The Fleet Manager will be responsible for fueling and washing the vehicles assigned to the College President. All other *assigned vehicles* will be kept fueled and clean by their responsible departments and employees.

It will be the responsibility of the Fleet Manager to ensure that all fleet vehicles have emission and safety inspections as required by state law.

#### **700.4 Pool Vehicle Use**

*Pool vehicles* are available for check-out by all Weatherford College departments. *Pool vehicles* are only available for work-related business, and student activities. *Pool vehicles* may only be driven by an employee with a valid and current Texas Driver License. Employees must be added to Weatherford College's motor vehicle insurance policy before driving a *pool vehicle*.

Prior to using a *pool vehicle*, employees must submit a *Vehicle Request Form* to WCPD. If Weatherford College students will be riding in the pool vehicle, a completed *Student Activity Form* must also be submitted. Pool vehicles will be reserved on a "first-come, first-serve" basis, based on the time WCPD receives the *Vehicle Request Form*.

WCPD employees may serve as drivers for trips sponsored by other Weatherford College departments, at the request of the sponsoring department. In these cases, food and lodging for the WCPD driver will be the responsibility of the sponsoring department.

Upon return of a pool vehicle, employees will submit the completed trip sheet, fuel card, fuel receipt, and vehicle keys to WCPD.

Employees are responsible for promptly reporting any damage or mechanical issues involving a *pool vehicle* to WCPD.

#### **700.5 Freightliner Bus**

The Freightliner bus owned by Weatherford College is part of the vehicle fleet, and may be reserved following the procedures for *pool vehicles* above. The Freightliner bus will only be driven by a professional driver, who holds a valid and current Texas Commercial Driver License with any necessary endorsements. Bus Drivers will be tested and approved by the Chief of Police or his designee prior to being allowed to transport passengers in the bus. WCPD drivers will follow TXDOT and federal regulations regarding required stops and rest periods. The department which reserved the Freightliner bus will be responsible for providing food and lodging to WCPD drivers on extended trips. Weatherford College employees and students are expected to follow safety instructions from the driver. The WCPD driver will be responsible for logging mileage and fueling the bus while on trips.

## **GO 701: Clean Fleet Policy**

### **701.1 Purpose and Scope**

Weatherford College is committed to acquiring, maintaining, and operating our vehicle fleet in the most environmentally friendly manner possible. Weatherford College will strive to reduce emissions and overall fuel consumption. Weatherford College will ensure employees are familiar with air quality and emission reduction policies. Weatherford College will partner with other entities, such as the NCTCOG and DFWCC to achieve these goals.

### **701.2 Idle Reduction**

It is the policy of Weatherford College to restrict idling of vehicles or equipment whenever practical. Idling is the continuous operation of a vehicle's engine when the transmission is not engaged, or the vehicle is in park. This policy applies to all employees who operate Weatherford College fleet vehicles or equipment.

No unnecessary engine idling is permitted. When a driver exits the vehicle, the engine will be turned off. Vehicles and equipment will not be left unattended while the engine is running. Vehicles waiting to be loaded or unloaded will have the engine turned off if the idling time will exceed five minutes. The stop/start anti-idle feature on equipped vehicles, such as the Jeep Cherokees in the vehicle pool, will not be disabled during trips.

Exceptions to the above idling guidelines may be made for:

- A. Idling a vehicle due to traffic congestion.
- B. Idling a vehicle for maintenance or diagnostic purposes.
- C. Idling in order to defrost a windshield.
- D. Idling a clearly marked emergency vehicle in order to operate auxiliary emergency equipment, such as a light bar or public address system.
- E. Idling a vehicle in order to operate heat or air conditioning necessary to maintain passenger comfort and safety.

### **701.3 General Emission and Fuel Consumption Reduction Strategies**

Employees of Weatherford College are encouraged to reduce vehicle emissions and fuel consumption whenever it is practical to do so.

Employees should plan trip routes in advance to maximize fuel-efficiency and minimize travel time and distance.

Employees are encouraged to park in shaded areas whenever possible to minimize evaporative emissions/fuel losses.

The Fleet Manager will ensure that pool vehicles are properly maintained and all tires are properly inflated.

While the final decision on vehicle selection will remain with the requesting department, WCPD personnel will encourage employees to reserve the most fuel-efficient *pool vehicle* which will

meet their needs for a given trip. The Freightliner bus will typically not be used for small groups of passengers, unless those passengers are transporting large amounts of equipment, or have other special needs.

Weatherford College will encourage fleet activities which minimize water, solid waste, and other environmental impacts of fleet activities, as appropriate.

#### **701.4 Vehicle Acquisition and Disposal**

Weatherford College will pursue low-emission vehicles and equipment for acquisition, with an emphasis on alternative fuel, electric or hybrid vehicles, and/or SmartWay certified vehicles and equipment.

Gas-powered utility (golf) carts will no longer be purchased by Weatherford College. Future utility carts purchased by Weatherford College will be electrically powered. Existing gas-powered utility carts will be disposed or replaced as soon as it is practical to do so, with a goal of having only electric utility carts across all Weatherford College campuses no later than 2030.

Weatherford College will seek to dispose of outdated fleet vehicles when they reach the end of their effective service life, or when lower emission options are readily available and it is fiscally practical to replace them. Fleet vehicle disposal will occur via online auction, to reduce vehicle miles traveled.

#### **701.5 Entity Partnerships**

Weatherford College will partner with NCTCOG, DFWCC, and other entities to enhance our Clean Fleet efforts.

The WCPD department email account has been set to receive notices of Air Pollution Action Days from NCTCOG via the Air North Texas program. All Weatherford College employees will be notified via email when an Air Pollution Action Day has been declared, and will be encouraged to delay non-essential travel until conditions improve.

The Fleet Manager will initiate and maintain active membership in DFWCC and will submit timely Clean Fleet Policy reporting. The Fleet Manager will attend at least one DFWCC meeting or event per calendar year, as practical. The Fleet Manager will assist DFWCC whenever practical. Such assistance includes, but is not limited to, presenting at meetings/events, bringing display vehicles or technologies to events if requested, identifying additional potential members and fleets who may be interested in using alternative fuels, encouraging fellow fleets and vendors to adopt a Clean Fleet Policy and join/support DFWCC, and sponsoring DFWCC where applicable/feasible.

If approached to do so, the Fleet Manager will evaluate and consider participating in programs to test, commercialize, or demonstrate new technologies to improve efficiency, reduce emissions, and/or increase fuel efficiency.

The Fleet Manager will pursue activities which support peer fleets' efforts to implement fuel or emissions-reducing activities by sharing and maximizing resources whenever practical to do so.

## **701.6 Information Dissemination and Education**

Weatherford College will ensure drivers/operators and fleet personnel are familiar with fuel and emissions goals to improve air quality.

The Clean Fleet Policy will be discussed by the Chief of Police during new employee orientation. Information regarding the Clean Fleet Policy will be made available online, via [mywc.wc.edu](http://mywc.wc.edu). Once approved and finalized, the Clean Fleet Policy will be emailed to all Weatherford College faculty, staff, and students. When checking out a *pool vehicle* for the first time, employees will receive a hard copy and/or digital copy of the Clean Fleet Policy from WCPD administrative staff. The Fleet Manager will attend training administered by NCTCOG as practical, and will in turn administer training to Weatherford College employees as needed.

## **GO 702: Operation of College Vehicles**

### **702.1 Purpose and Scope**

Weatherford College utilizes motor vehicles and utility (golf) carts operated by college employees in a variety of applications. In order to ensure vehicles are used appropriately, regulations relating to the use of these vehicles have been established.

For purposes of this order, college vehicles are considered to be any vehicle used by college employees for official Weatherford College business, including privately owned vehicles, or vehicles owned, rented, leased, or maintained by the college.

### **702.2 General Vehicle Operation**

Employees will operate Weatherford College vehicles in a careful and prudent manner within the guidelines of the law and college policy. Unsafe or negligent driving is prohibited. Vehicles will be operated in such a manner and at a rate of speed that the driver, by use of ordinary care, can avoid colliding with another vehicle, object, or person. Posted speed limits will be observed. College vehicles will be driven in a courteous manner, in adherence to defensive driving principles.

Employees will wear a seatbelt in the front or back seat while operating or riding in a Weatherford College vehicle.

GeoTab tracking devices will not be removed or deactivated while a college vehicle is in use.

Employees operating college vehicles will not use mobile phones, tablets, PDAs, or other similar devices while operating a college vehicle which is in motion, unless a hands-free device is employed.

Employees will not operate college vehicles while impaired by alcohol, drugs, or fatigue.

When not in use, college vehicles will be legally parked and properly secured.



### **702.3 Fueling Guidelines**

Every gas or diesel-powered Weatherford College vehicle has a fuel card assigned to it.

*Pool vehicles'* gas cards will be issued out with the vehicle when checked out. *Pool vehicles* should be refueled within a couple miles of campus before being returned, and should be returned with a full tank. *Pool vehicle* drivers are responsible for retaining paper receipts of all fueling transactions associated with their use of the vehicle, and submitting these receipts to WCPD when checking in the vehicle.

Fuel cards for vehicles assigned to specific departments are issued to the department assigned the vehicle. Each department is responsible for keeping their vehicles fueled, and submitting fuel receipts.