

# **BRYAN POLICE DEPARTMENT OPERATIONS MANUAL**

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<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 23, 2003</p>	<p><b>NUMBER</b> 01-01.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Role, Responsibility, &amp; Relationships</p>	<p><b>INDEXED AS</b> Oath of Office</p>	<p><b>CALEA</b> <a href="#">1.1.1</a></p>
<p align="center"><b>SUBJECT</b> Oath of Office</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policy concerning the Oath of Office taken by sworn personnel.

**II. POLICY**

All personnel, prior to assuming status as a sworn member of the Department, shall take an oath of office to be verbally administered by the Chief of Police or his designee. The oath of office shall also be documented in written form and signed by the newly appointed officer in the presence of a notary public. The oath shall be placed in the officer's permanent personnel file. [\(1.1.1\)](#) This oath shall read as follows:

I, (officer's name) do hereby solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a police officer, of the City of Bryan, according to the best of my skill and ability and agreeable to the constitution of laws of the United States and to the Great State of Texas. I furthermore do solemnly swear that I have not directly or indirectly paid, offered or proposed to pay, contributed nor promised to contribute any money or valuable things as a reward for the giving of this appointment, so help me God.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 3, 2003	<b>NUMBER</b> 01-02.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Code of Ethics Integrity	<b>CALEA</b> <a href="#">1.1.2</a> <a href="#">1.3.1</a>
<b>SUBJECT</b> Code of Ethics		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish a code of ethics to be adhered to by all sworn officers of the Bryan Police Department.

**II. POLICY**

It is the policy of the Bryan Police Department that sworn officers be fully aware of the ethical responsibilities of their position and constantly endeavor to live up to the highest possible standards of professional policing according to this adopted Code of Ethics. [\(1.1.2\)](#)

**III. CODE OF ETHICS**

(Adopted from the International Association of Chiefs of Police Code of Ethics, 01/2003)

**A. Primary Responsibilities**

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace; and ensuring the rights of all to liberty, equality and justice.

**B. Performance of Duties**

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

**C. Discretion**

A police officer will use responsibly the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations and the officer will consider surrounding circumstances in determining whether any legal action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest which may be correct in appropriate circumstances can be a more effective means of achieving a desired end.

#### **D. Use of Force**

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading inhuman treatment of any person. *(1.3.1)*

#### **E. Confidentiality**

Whatever a police officer sees, hears or learns of, which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise.

Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

#### **F. Integrity**

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public can't be bought; it can only be earned and cultivated.

#### **G. Cooperation with Other Officers and Agencies**

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

#### **H. Personal and Professional Capabilities**

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The

acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

**I. Private Life**

Police officers will behave in a manner that does not bring discredit to their agencies or themselves.

A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 2, 1988	<b>NUMBER</b> 01-03.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Authority Discretion	<b>CALEA</b> <a href="#">1.2.1</a> <a href="#">1.2.7</a>
<b>SUBJECT</b> Authority and Discretion		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to define and elaborate on the scope and limits of law enforcement authority vested in sworn members of the Department.

**II. SCOPE**

- A.** The scope and limits of authority of sworn members of this Department are defined in the Texas Code of Criminal Procedure under Article 2.13, Duties and Powers, which states: [\(1.2.1\)](#)

It is the duty of every peace officer to preserve the peace within the officer’s jurisdiction. To affect this purpose, the officer shall use all lawful means. The officer shall in every case authorized by the provisions of this Code, interfere without warrant to prevent or suppress crime; execute all lawful process issued to the officer by any magistrate or court; give notice to some magistrate of all offenses committed within the officer’s jurisdiction, where the officer has good reason to believe there has been a violation of the penal law; and arrest offenders without warrant in every case where the officer is authorized by law, in order that they may be taken before the proper magistrate or court and be tried.

- B.** The Code of Ordinances of the City of Bryan under Section 2-432, Duties, further defines the authority of the Bryan Police Department and its officers as follows: [\(1.2.1\)](#)

The police department shall be charged with the preservation of the peace and order of the city, the protection of all persons and property, and the enforcement of all criminal ordinances and all criminal laws of the city, the state, and the United States. The department shall suppress all riots, disturbances and breaches of the peace within the city; pursue and arrest any person fleeing from justice in any part of the state, or of the United States; arrest all persons found in the act of committing a breach of laws or ordinances, and take the offenders forthwith before the proper court to be dealt with according to law; make complaints to the proper officers of any person known or believed to be guilty of the violation of the ordinances of the city or of the penal laws of the state or the United States.



### **III. DISCRETION (1.2.7)**

#### **A. On-Duty Police Officers**

1. Sworn officers shall use all lawful means to preserve the public peace, within the jurisdiction of the incorporated limits of the City of Bryan and within those areas owned by the City of Bryan which lie outside the geographic boundaries of the City.
2. Officers are encouraged to use discretion in the performance of their assigned duties, taking into consideration the conditions present at the time, the constraints of policy and existing statutes, laws, and ordinances pertaining to the situation, and any enforcement alternatives available to the officer which might better serve all concerned.
3. Officers shall keep in mind that physical arrest is a substantial infringement on the personal liberties of an individual, regardless of the nature of the offense. When appropriate, officers shall exercise alternatives to arrest, including: citations, warnings, and informal resolution.

#### **B. Off-Duty Police Officers**

1. Officers should not take any police action, except under circumstances justifying self-defense or to prevent injury to others.
2. Officers shall not become involved or intervene in public disturbances or fights while off-duty. Police intervention is best served by on-duty police officers, who are better equipped to safely respond to such incidents.
  - a. Off-duty officers will immediately report the disturbance to the law enforcement agency having legal jurisdiction.
  - b. Off-duty officers will cooperate by providing witness information to the investigating agency.
  - c. Off-duty officers are prohibited from taking any police action while under the influence of alcohol or drugs.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> July 30, 2004	<b>NUMBER</b> 01-04.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Jurisdiction	<b>CALEA</b> 2.1.1 2.1.2 2.1.4
<b>SUBJECT</b> Jurisdiction		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE** The purpose of this directive is to define the levels of jurisdiction and to delineate the geographic area of primary jurisdiction in which the Bryan Police Department executes its police function.

**II. DEFINITIONS**

**Primary Jurisdiction:** The geographic area in which a police agency maintains responsibility for managing and executing the police function including emergency response, preliminary and follow-up investigation and traffic enforcement.

**Secondary Jurisdiction:** The geographic area in which a police agency acts in a supportive role to the primary jurisdiction agency.

**Concurrent Jurisdiction:** The geographic area in which two (2) or more police agencies would appear to have primary jurisdiction. The Bryan Police Department shares concurrent jurisdiction with several law enforcement agencies. These agencies are:

1. Federal Bureau of Investigations
2. Federal Secret Service
3. United States Custom Service
4. Alcohol, Tobacco, and Firearms
5. Federal Drug Enforcement Agency
6. United States Postal Service
7. Internal Revenue Service
8. United States Marshals Service
9. United States Immigration and Customs Enforcement
10. Texas Department of Public Safety
11. Texas Alcoholic Beverage Commission
12. Texas Parks and Wildlife Commission
13. Texas Railroad Commission
14. Brazos County Sheriff's Department
15. Texas A & M University Police Department
16. Blinn College Police Department

### **III. POLICY**

The jurisdiction of the Bryan Police Department lies within the incorporated limits of the City of Bryan and within those areas owned by the City which lie outside the geographic boundaries of the City. *(2.1.1)* It is the policy of the Department to cooperate with all law enforcement agencies and other related entities to the fullest possible extent when such cooperation would enhance the Department's mission of service and protection to the community.

### **IV. REGULATIONS**

- A.** The primary directive of the Bryan Police Department is to provide police services to the citizens of Bryan.
- B.** Employees shall strive to provide the utmost cooperation to all law enforcement agencies with which the Department shares concurrent jurisdiction. Request for assistance from an outside agency involving warrant service shall be approved by a Division Lieutenant or higher. Any assistance rendered to any outside agency will be conducted within the policies and procedures of the Department.
- C.** Officers responding to assist another agency out of the City's jurisdiction shall be under the immediate command of the requesting agency's chief law enforcement officer or their designee. Officers shall remain under the ultimate command of the Bryan Police Department's Chief of Police.
- D.** When duty requires an officer to respond into another agency's geographic jurisdiction for other than routine reasons, that officer shall, when practical and feasible, notify that agency as to their purpose. Examples would include arrest warrant and search warrant services.

### **V. PROCEDURES**

- A.** Requesting Federal Law Enforcement Assistance in Emergency Situations *(2.1.4)*
  - 1.** The supervisor in charge of the emergency situation shall be responsible for making contact with the appropriate federal agency needed.
  - 2.** Notification, via the chain of command, shall be made as soon as possible by the supervisor making the request for federal assistance.
- B.** Requesting National Guard Assistance in Emergency Situations *(2.1.4)*
  - 1.** The on duty patrol supervisor in charge of the situation shall determine that all immediate available resources have been used and that the situation poses a threat or danger which would justify the use of the National Guard. Notification, via the chain of command, shall be made as soon as possible by the supervisor making the request for federal assistance.
  - 2.** If it is determined by the Operations Bureau Assistant Chief that no additional staffing resources are available and that the National Guard is needed, he/she shall contact the Chief of Police to advise him/her of the situation.

3. The Chief of Police, upon determination that use of the National Guard is justified, shall contact the City Manager and request authorization for assistance.
- C. Liaison with Support Agencies Open channels of communication between the Bryan Police Department and support agencies is essential in order to provide efficient and effective law enforcement services. Cooperation allows problems to be identified and barriers eliminated before they become a problem.
1. The Criminal Investigations Division Lieutenant or their designee shall, on a periodic basis, communicate with the following in an effort to obtain feedback on investigative error, courtroom error and other areas of concern which promote greater understanding of the problems encountered by law enforcement:
    - a. County, District, and Juvenile Courts.
    - b. County and District and Juvenile Court Prosecutors.
    - c. Brazos County Probation and Parole Offices.
    - d. Brazos County Adult and Juvenile correctional agencies.
  2. Liaison with other local law enforcement agencies shall be maintained through regularly scheduled meetings of Brazos County law enforcement agency department heads. Supervisors and employees should exchange information with local law enforcement agencies that would increase the likelihood that crimes may be solved or that fugitives may be apprehended.
- D. Specialty Agencies [\(2.1.2\)](#)
1. Federal Bureau of Investigation (F.B.I.)
    - a. The F.B.I. has concurrent jurisdiction with the Bryan Police Department for all bank robberies involving federally insured banks and federal fugitive investigations occurring within the City of Bryan.
    - b. The F.B.I. has primary jurisdiction for civil rights (USC 1983) and other federal violations. It shall be the responsibility of Department employees to respond to lawful requests when dealing with F.B.I. personnel in these matters. Employees receiving these types of requests will notify the Office of the Chief of Police through the chain of command within twenty-four hours detailing the request and the action taken.
    - c. On all other matters of mutual interest, F.B.I. personnel will be afforded all courtesies extended to all other criminal justice agencies.
  2. U.S. Immigration and Customs Enforcement and/or Border Protection Services
    - a. The U.S. Immigration and Customs Enforcement (I.C.E.) and the Border Protection Services of the Department of Homeland Security have primary jurisdiction over all undocumented persons in the United States. Federal law provides that only I.C.E. and Border Protection Agents can take undocumented persons into custody and does not specifically provide for the delegation of this authority to other law enforcement officers.

- b.** The Bryan Police Department will not arrest undocumented persons for illegal entry; arrests will only be made for a specific criminal or traffic offenses that have been charged against the subject.
- c.** Border Protection and I.C.E. Agents generally are unavailable to respond to incidents after business hours. Authorization from a division lieutenant must be obtained prior to requesting Border Protection or I.C.E. for after-hours assistance.

**3. United States Secret Service**

- a.** The United States Secret Service has concurrent jurisdiction with the Bryan Police Department on all counterfeit U.S. currency cases occurring in the City of Bryan.
- b.** Bryan Police Officers who come into possession of counterfeit U.S. currency will seize the instrument for safekeeping with a notation to release the seized items to the U.S. Secret Service once the case is deposed. Officers will document the facts of the incident on an offense report and forward the report to the Criminal Investigation Division.
- c.** In counterfeit cases where a suspect is present and probable cause exists for an arrest for passing or possessing the forged instrument, the suspect will be taken into custody. The suspect shall be booked for passing or possession of a forged instrument under the Texas Penal Code (P.C. 32.21 Forgery).

**4. Railroad Police**

- a.** The Union Pacific Railroad shall be the primary investigatory agency on scenes such as train derailments or on-board emergencies. If there is an accident between a vehicle and the railroad or a pedestrian and the railroad, a joint investigation may be conducted.
- b.** Employees who observe or respond to emergency situations in the area of any railroad property, or on or near the tracks of any railroad, shall advise the Brazos County 911 District communications personnel to notify the Union Pacific Railroad.
- c.** Railroad Police Officers and/or Special Agents will be extended any and all privileges offered to any other law enforcement agency. These Officers have Peace Officer status under C.C.P. 2.121 when protecting railroad property, passengers and passengers' property.

**5. Postal Service**

- a.** The Postal Inspection Service has concurrent jurisdiction with the Bryan Police Department over the offenses which relate to the postal establishment. Postal jurisdiction extends to:
  - (1)** Post Office burglary or robbery.
  - (2)** Assaults on mail custodians.

- (3) Theft or possession of mail or pouches stolen from post offices, apartment, houses or numbered street addresses.
  - (4) Obstruction of the mail or correspondence.
  - (5) Theft or possession of stolen Post Office Department property.
  - (6) Forgery of U.S. Postal Money Orders or Postal Savings Certificates.
  - (7) Fraudulent use of the U.S. mail system.
  - (8) Explosives, poisons, etc., in the U.S. mail system.
  - (9) Depredations (plunder) of the mails by Postal employees or others not employed by the Postal Service.
  - (10) Willful damage to letter and rural mailboxes or the theft of such boxes.
- b. The Bryan Police Department will provide emergency response and support, as needed, to the U.S. Postal Service. The on-duty patrol supervisor or the appropriate division lieutenant will request that the Brazos County 911 Dispatch communications personnel immediately notify the postal inspectors on any confirmed robberies, burglaries or arrests of postal employees. Postal inspectors, upon arrival, will be afforded all privileges extended to other law enforcement authorities.
  - c. Postal authorities may take disposition on any incident involving the mail; including serious offenses; i.e., explosive devices placed in boxes, etc. The Postal Service maintains an on-call inspector, available 24-hours a day, and will respond to any serious offense.
6. Texas Department of Public Safety (D.P.S.)
- a. The Texas Department of Public Safety (D.P.S.) has concurrent jurisdiction with the Bryan Police Department on the following State Roadways:
    - (1) SH 47 (Raymond Stotzer Parkway)
    - (2) FM 1179 (Villa Maria)
    - (3) FM 2818 (N. Harvey Mitchell Parkway)
    - (4) FM 308 (S. College Avenue from Sulphur Springs to City limit)
    - (5) SH 6 Business (Texas Avenue)
    - (6) SH 6 (N. Earl Rudder Freeway)
    - (7) FM 158 (William Joel Bryan Parkway & Boonville Road)
    - (8) SH 21 (San Jacinto)
    - (9) FM 974 (Tabor Road)
    - (10) FM 1687 (Sandy Point Road)
  - b. When a disagreement arises concerning jurisdiction, officers of the Bryan Police Department will make appropriate investigations on offenses occurring within the incorporated city limits of Bryan.
  - c. Officers of the Bryan Police Department are expected to cooperate fully with D.P.S. Supervisors and Troopers. Bryan Officers will provide support and back-up to D.P.S. Troopers when requested or when an emergency is observed.
7. Brazos County Sheriff's Office (B.C.S.O.)

- a. The Brazos County Sheriff's Office (B.C.S.O.) has concurrent jurisdiction with the Bryan Police Department in these buildings and on these premises.
    - (1) Brazos County Courthouse (300 E. 26<sup>th</sup> Street)
    - (2) Brazos County Tax Office (300 E. William Joel Bryan Parkway)
    - (3) Brazos County Health Department (201 N. Texas Avenue)
    - (4) Probation Office (202 E. 27<sup>th</sup> Street)
    - (5) Juvenile Justice Center (1904 W. Highway 21)
    - (6) Brazos County Detention Center (1835 Sandy Point Road)
    - (7) Brazos County Pavilion & Arena (2906 Tabor Road)
    - (8) Brazos Center (3232 Briarcrest Drive)
    - (9) Brazos County Road & Bridge (2617 W. Highway 21)
  - b. Non-emergency calls to these premises shall be handled by B.C.S.O. Deputies.
  - c. The Bryan Police Department may respond to emergency calls to these premises. B.C.S.O. Deputies may take disposition on any incident occurring within their jurisdiction. The Bryan Police Department will provide support and back-up to B.C.S.O. Deputies when requested or when an emergency is observed.
- 8. Texas A&M University Police Department**
- a. The Texas A&M University Police Department (U.P.D.) has concurrent jurisdiction with the Bryan Police Department in these buildings and on these premises.
    - (1) Agriculture Program Administrative Services Office (3000 Briarcrest Drive)
    - (2) SHSC Rural Public Health Office (3000 Briarcrest Drive)
    - (3) Admissions and Records Office (3833 S. Texas Avenue)
    - (4) Agriculture Program Administrative Services Office (3833 S. Texas Avenue)
    - (5) Texas Forest Service Office (3833 S. Texas Avenue)
    - (6) Educational Psychology Office (3400 S. Texas Avenue)
    - (7) Health & Kinesiology Education Office (3400 S. Texas Avenue)
    - (8) Human Resources Department (3608 E. 29<sup>th</sup> Street)
    - (9) Center for Distance Learning Research (501 Industrial Boulevard)
  - b. Non-emergency calls to these premises shall be handled by U.P.D. Officers.
  - c. Emergency calls to these premises shall be handled by the Bryan Police Department. University Police Department Officers may take disposition on any incident occurring within their jurisdiction. The Bryan Police Department will provide support and back-up to U.P.D. Officers when requested or when an emergency is observed.
- 9. Blinn College Police Department (B.C.P.D.)**
- a. The Blinn College Police Department (B.C.P.D.) has concurrent jurisdiction with the Bryan Police Department in these buildings and on these premises.
    - (1) Blinn College Campus (2423 Blinn Boulevard)
    - (2) P.O.S.T Campus (301 Post Office Street)

**(3) Blinn College Book Store (2520 E. Villa Maria Road)**

- b.** Non-emergency calls to these premises shall be handled by Blinn College Police Department.
- c.** Emergency calls to these premises shall be handled by the Bryan Police Department. Blinn College Police Officers may take disposition on any incident occurring within their jurisdiction. The Bryan Police Department will provide support and back-up to B.C.P.D. Officers when requested or when an emergency is observed.

**10. Adult and Juvenile Probation and Parole Officers**

- a.** As terms of court ordered probation and/or parole, probation/parole officers have law enforcement authority over clients they supervise.
- b.** The broad search and seizure powers held by these officers of the court are not transferable to police officers or employees assisting the probation or parole officers.
- c.** Department employees will maintain the peace and protect probation/parole officers during the lawful execution of their duties and may transport prisoners to the appropriate booking facility for these officers.

**11. Fire Department**

- a.** Fires
  - (1)** Dispatch personnel will normally dispatch one (1) police officer to any active fire, involving a structure within the City of Bryan, for the purpose of providing crowd and traffic control. The on-scene police officer, after assessing the situation, will determine if additional police personnel are required.
- b.** Other Fire Department Related Calls
  - (1)** Police personnel will respond to other fire department calls for assistance upon request of fire personnel.

**12. Brazos County Animal Control Officers**

- a.** Officers will provide assistance to any Animal Control Officer upon request or during emergency situations occurring within the City of Bryan.

**E. Court Jurisdictions**

- 1.** If a criminal incident occurs within the incorporated City Limits of Bryan or on property owned and governed by the City, the case will be referred to the proper criminal court. Class C misdemeanor cases will be referred to the Bryan Municipal Court for prosecution. Class B and A misdemeanor cases will be referred to the County Courts at Law (County Court at Law 1 or 2) for prosecution through the



County Attorney's Office. Felony cases will be referred to the District Courts (85<sup>th</sup> District Court, 272<sup>nd</sup> District Court, 361<sup>st</sup> District Court) for prosecution through the District Attorney's Office.

2. If a civil incident occurs and it is on the eastern side of Earl Rudder Freeway (Highway 6) and north of University Drive, the complaint will be referred to Justice of the Peace Court, Precinct 2, Place 1 or Place 2.
3. If a civil incident occurs and it is on the eastern side of Texas Avenue, south of Briarcrest Drive and west of Earl Rudder Freeway (Highway 6), the complaint will be referred to Justice of the Peace Court, Precinct 3.
4. If a civil incident occurs and it is on the western side of Earl Rudder Freeway (Highway 6) and north of Raymond Stotzer Parkway (FM 30), the complaint will be referred to Justice of the Peace Court, Precinct 4.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 9, 2005	<b>NUMBER</b> 01-05.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Deadly Force Force Less Lethal Weapons	<b>CALEA</b> 1.2.2 1.3.7 1.3.1 1.3.8 1.3.2 1.3.11
<b>SUBJECT</b> Use of Force	Taser Use of Force	1.3.3 1.3.12 1.3.4 1.3.13 1.3.5 1.3.6
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to provide guidelines on the use of less-lethal and deadly force and procedures for reporting and investigating such uses

**II. DEFINITIONS**

**Cover officer** – A police officer providing protective cover for another officer with their duty firearm or shotgun loaded with standard issue conventional ammunition.

**Deadly force** – Force intended to cause death or serious bodily injury or that a reasonable and prudent person would consider likely to cause death or serious bodily injury.

**Designated shotgun** – Departmental shotguns that have been designated solely for the delivery of less-lethal projectiles and fitted with orange stocks. Shotguns with orange stocks shall only deploy less-lethal projectiles.

**Extended range impact weapons (ERIW)** – Devices utilizing impact projectiles by police officers to stop, control, and restrain individuals while designed to cause less harm than deadly force to the individual as well as the officer and any nearby persons.

**Immediate** – Instantaneous; not deferred by any interval of time.

**Immediately necessary** – That which is required at the point in time of the use of force.

**Impact projectiles** – Projectiles fired from less-lethal weapons to incapacitate a subject with a minimal potential for causing death or serious physical injury when compared to conventional firearm projectiles. Examples of impact projectiles include pepper balls, bean bag rounds, gas, and rubber and wooden projectiles.

**Less-lethal weapons** – Devices designed to be used by police officers to stop, control, and/or restrain individuals with a lower probability of producing fatal results than deadly force to the individual as well as the officer and any nearby persons. Examples of less-lethal weapons include pepper spray, pepper balls, batons, flashlights, bean bag, wooden and rubber projectiles.

**Reasonable belief** – Facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances. “Reasonableness” is subject to review and determination by the chain of command.

**Reckless** – With respect to circumstances surrounding the officer’s conduct or the result of the officer’s conduct, when the officer is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary and prudent peace officer would exercise under all the circumstances as viewed from the officer’s standpoint.

**Taser** – An electro-muscular disruption device which utilizes electrical stimulation to completely override the central nervous system and directly control the skeletal muscles.

### **III. POLICY**

Although use of force is permitted by law under specified circumstances and a police officer is required to exercise force under certain circumstances, the unnecessary use of force is contrary to law. It places the representative government agency in a position of civil liability and the officer in jeopardy of civil and criminal liability. Under no circumstances will the force used (in any situation and specifically including against any individuals engaged in nonviolent civil rights demonstrations) be greater than necessary to achieve lawful objectives. **(1.3.1)** Deadly force will not be used unless an officer reasonably believes it necessary to protect the officer or another person from immediate danger of death or serious bodily injury. **(1.3.2)**

### **IV. LIMITATIONS AND QUALIFICATIONS**

**A.** This directive is for department use only and does not apply in any external criminal or civil proceeding. The department policy should not be construed as creating a higher legal standard of safety or care in an evidentiary sense with respect to claims. Violations of this directive will only form the basis for department administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

**B.** The Chief of Police of the Bryan Police Department, by this policy, has approved sworn officers of this Department to carry and use authorized weapons in the performance of their law enforcement duties, in compliance with all applicable state/federal laws. Officers are prohibited from carrying weapons that have not been authorized by the Chief of Police. **(1.2.2)**

**C.** Deadly Force Philosophy Statement:

The use of deadly force is probably the most serious act a police officer will ever perform. Use of deadly force is contrary to the reverence for human life exhibited by police officers that often risk their lives to save others. The consequences of the use of deadly force are the most far reaching for all parties involved, even when death does not result. The physical and mental well being of police officers requires they have a firm understanding of those circumstances in which they are authorized to use deadly force.

**D.** Training:

It is imperative that a police officer act within the boundaries of law, professional ethics, good judgment, and accepted practices. An officer must be prepared by training, leadership, and direction to act wisely when using a firearm in the course of official activity. For these reasons, each commissioned employee must be given a copy of this directive and trained in the department’s policy on use of force before being authorized to carry any weapon. The issuance of this policy and the use of force training provided shall be documented in the officer’s training record. **(1.3.12)**

- E.** Circumstances to be considered. The amount and degree of force that may be used will depend on the surrounding circumstances. This includes but is not limited to:
1. The nature of the offense.
  2. The behavior of the subject against whom force is to be used, i.e., verbal dialogue, physical resistive actions, aggressive acts.
  3. Physical condition.
  4. The feasibility or availability of alternative actions.
- F.** Escalation. Where the circumstances permit, it is an officer's responsibility to first exhaust every reasonable means of employing the minimum amount of force, including the officer's physical presence and verbal skills, before escalating to a more severe application of force. Under normal circumstances, only the methods or instrumentalities listed below may be used to apply force. The methods are listed in ascending order from least severe to most extreme:
1. Officer presence: uniform, badge, patrol car, physical bearing
  2. Verbal direction: verbal communication, negotiation skills
  3. Passive guidance/control: hands-on escorting, picking up body weight, pushing-pulling gently
  4. Oleoresin-Capsicum spray
  5. Empty hand control: soft (fingertip pressure applied to pressure points) or hard (striking motorpoints with hands/feet)
  6. Intermediate weapons: soft (wrist locks using impact weapon) or hard (striking motorpoints with impact weapon)
  7. Taser
  8. Extended Range Impact Weapons (ERIW); pepper ball, bean bags, rubber or wooden projectiles
  9. Approved firearm and ammunition
- G.** Defensive Tactics Annual Qualification. Each commissioned officer in the rank of Lieutenant and below, including reserve officers must qualify annually in the department-approved defensive tactics program. Failure to demonstrate qualification standards in practical and written examinations will result in scheduling of remedial training with a certified defensive tactics instructor, after which a retest will be given. Failure of the retest may subject an officer to termination of employment, or a reserve officer to disqualification from the reserve program.

**V. LESS-LETHAL FORCE (1.3.4)**

- A.** Authorization. Less-Lethal force may be used when a police officer reasonably believes it is immediately necessary to take physical action to:
1. Preserve the peace and prevent commission of offenses, suicide, or serious bodily injury.
  2. Make lawful arrest and/or search, overcome resistance to same, and/or prevent escape from custody.
  3. Defend the officer or another person against unlawful violence to person or property.
  4. Prevent or interrupt an intrusion on or interference with lawful possession of property.
- B.** Instruments
1. Oleoresin-Capsicum (OC) Device. Personnel certified through department-approved training and authorized to use non-deadly force in A. above are permitted to use oleoresin-capsicum (OC) spray issued to them by the department as follows:

- a. Officers may use OC to stop or subdue an animal that is aggressive toward any person.
  - b. Officers should use OC against persons when an arrest must be made and the suspect has failed to comply with lesser methods of force and its use will avoid use of a more severe method of force.
  - c. Mere passive resistance (refusal to comply with verbal commands, going limp, or verbal arguments against being arrested) does not justify use of OC.
  - d. Those authorized to use OC spray will carry the spray issued to them while on duty. Officers shall also carry their issued spray on approved off-duty jobs. On-duty plainclothes commissioned personnel are exempt from this regulation while acting in a covert capacity.
2. Impact Weapon. An officer may use the impact weapon the officer has been qualified to use to subdue a violently resisting subject or in self-defense or defense of a third party only if lesser methods have failed or if circumstances warrant the immediate use of the weapon. Impact weapon strikes to the head, neck, throat, and clavicle will not be used unless Deadly Force is justified.
- C. Less-Lethal Qualification. Each commissioned officer, including reserve officers, must qualify at least biennially in a department-approved qualification program for each less-lethal they are authorized to use. *(1.3.11)* Failure to demonstrate qualification standards in practical and written examinations will result in scheduling of remedial training with a certified defensive tactics instructor, after which a retest will be given. Failure of the retest may subject an officer to termination of employment, or a reserve officer to disqualification from the reserve program.
- D. Medical Aid. After any use of force, in which the subject may have sustained injury, the officer using the force shall summon emergency medical aid, if necessary. Employees should be aware that injuries may not be readily apparent and that inquiry into the person's physical status and observation are advisable. *(1.3.5)*

## VI. TASER DEVICE

- A. Tasers are Department issued equipment and are to be employed only by designated and trained Department personnel.
- B. Tasers will be carried in designated holsters in a cross draw configuration. Officers shall insure operational readiness of the Taser and have back-up cartridges available on their duty belt.
- C. Tasers may be deployed where a subject displays the intent to engage in violent, aggressive actions of assault; displays the intent to engage in suicidal behavior; or engages in active physical resistance to lawful police action.
- D. When feasible, officers deploying the Taser shall be supported by a cover officer.
- E. Deployment.
  - 1. When feasible, officers will provide a verbal warning to the subject before utilizing the Taser. The warning shall be explicit.
  - 2. Officers shall announce to cover officer(s) that the Taser is being deployed.
  - 3. The Taser may be deployed multiple times on the same subject if the officer believes the use necessary to take the suspect into custody.

**F. Medical Treatment.**

- 1.** When the Taser is deployed on a person, EMS personnel will be summoned to the scene to evaluate the subject. Only qualified medical personnel will remove Taser probes lodged in the subject's skin except under the following criteria:
  - a.** Officers attempting Taser probe removal must be trained in the proper method of probe removal and;
  - b.** The Taser probes must not be lodged in the face, neck, groin, genitals, female breast, or other sensitive area and;
  - c.** Probes cannot be so deeply embedded that field removal is not possible, and;
  - d.** A second officer or supervisor must observe the removal.
- 2.** Following operational discharge, it is the responsibility of the deploying officer to collect the Taser probes and dispose of them in a suitable container. Officers will use biohazard precautions when handling Taser probes removed from a subject.
- 3.** Officers will photograph the areas of the probe strikes if possible, before and after probe removal. Consent should be obtained before photographing personally sensitive areas. All photographs of probe strikes will be placed into evidence.

**G.** Officers discharging a Taser will notify an on-duty supervisor as soon as practicable after the discharge.

**H.** Officers authorized to deploy a Taser shall receive designated training and certification as required by this department and shall re-qualify as required.

**VII. EXTENDED RANGE IMPACT WEAPONS (ERIW)**

**A.** The availability of an E.R.I.W. can assist in de-escalation of potentially violent confrontations and provide additional alternatives to the use of deadly force. Officers are authorized to employ impact projectiles in accordance with provisions of this policy and this department's overall use of force policy.

**B. Procedures**

- 1.** E.R.I.W.'s may be discharged at a suspect as an alternative to deadly force by an officer who reasonably believes the use is necessary to defend themselves or another person from imminent serious injury or death. This may include situations where less-lethal munitions are used in an attempt to prevent suicidal subjects from harming themselves or others.
- 2.** E.R.I.W.'s are primarily designed for use against subjects who appear to pose a threat of death or serious bodily injury to themselves or others.
- 3.** Major factors to consider when determining whether E.R.I.W. use is justified include, but are not limited to:
  - a.** Seriousness of any crime committed by the individual.
  - b.** Whether the individual is armed and, if so, the potential lethality/threat.
  - c.** Propensity of the individual to be violent.
  - d.** The urgency of the situation and potential impact of actions that may be committed by the suspect.
  - e.** The ability of officers to use an E.R.I.W. against the suspect in accordance with policy and training.

- f. The potential for collateral damage to officers, other persons, or property should the impact projectile incapacitate the suspect (e.g., the suspect is or is allegedly holding a triggering device connected to explosives or other destructive devices).
4. Deployment of an E.R.I.W. should be at the direction of a supervisor unless it is reasonably likely that failure to take immediate action would result in injury, death, or serious bodily injury.
5. Only officers who have met this agency's training requirements for use of E.R.I.W.'s are permitted to carry or deploy an E.R.I.W.
6. Officers will not prolong a situation waiting for an E.R.I.W. if the delay will place others at risk of injury or death.

#### C. Limitations

1. E.R.I.W.'s and munitions are not accurate, potent, or reliable enough to become a total replacement to deadly force in all situations where officers or a third person is under attack by a suspect, or otherwise defending him/herself from deadly force. E.R.I.W.'s should not be relied upon in these situations. E.R.I.W.'s are intended to disarm or disable a suspect at an opportune time, hopefully preventing the application or use of deadly force. Officers should not put themselves or innocent persons at greater risk by relying on E.R.I.W.'s in these situations.
2. In many instances, subjects do not respond favorably, or with the desired affect when struck with E.R.I.W. munitions. For that reason, a cover officer should be present with the officer armed with the E.R.I.W. to protect the officer and others.

#### D. Deployment, Strikes, and Follow-up

1. Specific deployment weapons shall be designated for deployment of impact projectiles only and shall be definitively marked.
2. When possible, deploying officers should attempt to direct impact projectiles to the target subject's lower abdomen. If not practical, officers should target the same areas of the body as officers trained to deliver strikes with impact weapons.
3. When possible, officers deploying E.R.I.W.'s should inform other police personnel present that impact projectiles will be deployed so that the shot will not precipitate the use of firearms by other officers.
4. Suspects struck by a projectile should be restrained as necessary and transported to a medical facility for examination. (I.3.5)
5. Use of an E.R.I.W. is a use of force and is subject to the same reporting, investigative, and review requirements as other types of force incidents.
  - a. A use of force investigation shall be conducted in any situation involving the discharge of an E.R.I.W.
  - b. The depth of the investigation shall be determined by designated departmental authorities based on the extent of subject injuries and a review of the surrounding circumstances.
  - c. A de-briefing of all involved officers should be conducted within 24 hours of the use of an E.R.I.W.

#### E. Training

1. Impact projectiles shall be directed at suspect target areas based on the circumstances at hand, established safety priorities, exigency of the situation, and the level of force that is authorized.

2. Officers authorized to deploy impact projectiles shall receive designated training and certification as required by this department and shall re-qualify as required.
  - a. Training in the use of E.R.I.W.'s and munitions will consist of an approved department training course consisting of an 8 hour program by a certified instructor. The course shall consist of classroom instruction, weapon familiarization, and qualification firing.
  - b. Officers must qualify on an approved course of fire.
  - c. Officers must qualify on a biennial basis. Failure to qualify will result in decertification until additional training is received from a department instructor.
3. Officers shall receive agency-authorized training specifically designed to simulate actual deployment situations and conditions to enhance officers' discretion and judgment in using less-lethal weapons in accordance with this policy.

## **VIII. DEADLY FORCE**

- A. Authorization. Officers may only use deadly force when they reasonably believe it is necessary to protect themselves or another person from immediate danger of death or serious bodily injury. In arrest situations, deadly force is only authorized in preventing immediate escape of a suspect when the officer reasonably believes that the suspect poses an immediate threat of death or serious bodily injury to the officer or others. **(1.3.2)**
  1. Justification for use of deadly force is limited to the facts reasonably apparent to the officer at the time the officer decides to use the force.
  2. Officers will not place themselves in a position of exposure to immediate threat of death or serious bodily injury when there are reasonable alternative actions. These include:
    - a. Available back-up officers subject to and consistent with the threat
    - b. Suitable cover
    - c. Securing the status quo pending additional resources and/or information
    - d. Pre-planning response activity
  3. When an officer should reasonably perceive that the potential exists that deadly force may be an outcome of any situation, the officer must plan ahead and use reasonable alternatives if time and opportunities permit. "Reasonable alternatives" is defined as an action that may be taken by the officer that may allow the officer to avoid the use of deadly force. The reasonableness of the action is based on the time available, the opportunity of performing the action, and the facts apparent to the officer before and during the incident. This includes the presence of innocent third persons. Planned and supervised hazardous entry situations are recognized as meeting the requirement of reasonable alternatives.
  4. Nothing in this policy should be construed as to prohibit using whatever means are necessary, including use of weapons or objects not on the approved weapons list to protect the life of an officer or other person in an emergency situation.
- B. Limitations. The authority to use deadly force is limited as follows:
  1. Deadly force will not be used against animals unless necessary for immediate self-defense or to prevent immediate substantial harm to the officer or another.
  2. Officers will not fire warning shots. **(1.3.3)**
  3. Officers will not discharge a firearm at or from a moving vehicle except when the suspect is using deadly force against the officer or others by means other than the vehicle or when



all other reasonable means of defense have failed. Officers will not place themselves in a position in front of an oncoming vehicle where deadly force is a likely outcome.

4. Officers will not discharge a firearm recklessly.
- C. Drawing Firearms. Except for general maintenance, storage, or authorized training, officers will not draw or exhibit a firearm unless circumstances create reasonable cause to believe its use would be permitted under law and department regulations.
- D. Firearms Annual Qualification. Each commissioned officer, including reserve officers, must qualify annually in a department-approved firearms qualification program. Refer to General Order 03-07 (Training Programs). *(1.3.11)*
- E. Immediate Report to Supervisor. An officer will immediately report the use of deadly force to a supervisor.

## **IX. REPORTING AND REVIEWING USES OF FORCE**

- A. When Written Report Required. Unless injury prevents it, before the end of the employee's shift, a Use of Force report will be submitted when an employee:
  1. Takes an action that results in or is alleged to have resulted in injury or death of another person; *(1.3.6b)*
  2. Applies force through the use of: *(1.3.6 a thru d)*
    - a. Empty hand control
    - b. Drawing a weapon in response to a subjects actions
    - c. Pointing a firearm at any subject
    - d. Handcuffing a person who is released without arrest
    - e. Chemical irritant (oleoresin-capsicum spray, CS or CN gas)
    - f. Impact weapon
    - g. Taser electro-muscular disruption device
    - h. Extended range impact weapon (E.R.I.W.)
    - i. Discharge of firearm on or off-duty (training and recreation are exempted)
    - j. Diversionary device
- B. Incidents Involving More than One Officer. A "Use of Force Report" form can document uses of force by up to 3 officers or against up to 3 subjects. Involvement of more employees or subjects requires additional forms. Completion of the form on any dispatched call is the responsibility of the primary dispatched officer. In any other event, the first officer who uses force is responsible for completing the form. Each employee is responsible for assuring that their use of force has been correctly documented on a form. Each should complete their own narrative supplement to any arrest or offense report, or an incident report to describe their actions.
- C. Routing and Review. *(1.3.7)*
  - a. The "Use of Force Report" and any related reports will be routed through the chain of command to the Bureau Commander.
  - b. Chain of command review is intended to determine whether policy, training, equipment, and/or discipline issues need to be addressed.
  - c. If, during the chain of command review, it is determined that improper procedure or error occurred, appropriate action will be initiated.

- d. After review, the Report and any related reports will be forwarded to the Professional Standards Unit.
- e. The Professional Standards Unit will conduct and forward to the Chief of Police an annual analysis of Use of Force Reports for indications of patterns or trends that could indicate training needs, equipment upgrades, and/or policy revisions. *(1.3.13)*

## **X. INVESTIGATING USES OF FORCE**

- A.** No Firearms and No Serious Injury. If firearms were not involved and injuries sustained were not serious, the use of force will be reported and reviewed through the chain of command.
- B.** Firearms or Serious Bodily Injury or Death. The following procedures will be followed after every incident of firearms discharge (other than training or recreation) by an officer and after every use of force that results or is likely to result in serious bodily injury or death.
  - 1.** Involved Employee immediate activities. The involved employee will:
    - a.** Determine the physical condition of any injured person, render first aid when appropriate, notify Dispatch Services of the incident and location and request necessary emergency medical aid. *(1.3.5)*
    - b.** Unless removed from the scene for medical treatment, remain at the scene until the on-duty shift commander arrives. If involved officer's presence might cause a more hazardous situation to develop (violent crowd, for example) the ranking officer at the scene may instruct the officer to respond to a more appropriate location before the shift commander arrives.
    - c.** If applicable protect any weapon used, for examination.
  - 2.** Preliminary Field Investigation. The on-scene supervisor will:
    - a.** Secure the scene and conduct a preliminary field investigation.
    - b.** Dispatch Services will notify investigative and administrative personnel and, if applicable, an attorney specified by the officer and as directed by the on-scene supervisor.
  - 3.** Reports. Involved officers will prepare written reports of the incident in a timely manner as directed by supervisors.
  - 4.** Administrative and Criminal Investigations in Cases of Serious Bodily Injury or Death. In cases of serious bodily injury or death or the likelihood of same, administrative and criminal investigations will be conducted, as follows:
    - a.** Investigative personnel will be called to the scene.
      - (1)** Administrative Investigation. Internal investigators will be shown the scene and advised of the results of the preliminary investigation.
      - (2)** Criminal Investigation. Traffic Section (in the case of a motor vehicle accident or pursuit involving a police employee acting in the scope of employment) or Crimes Against Persons investigators (in the case of a shooting or other exercise of official authority by a police employee) will conduct a thorough field investigation, collecting all evidence and interviewing all witnesses as would be done in any case that did not involve a police employee. In the case of a shooting, this shall include examining the weapon(s) (including secondary weapons and any weapons in police vehicles) of all officers present at the time any shots were

fired, seizing weapon(s) that may have been fired; and seizing samples of spent ammunition. In addition, investigators shall secure tapes of all police radio traffic and print-outs of all MDC transactions relating to the incident.

- b.** Before interviewing or obtaining written statements of the involved officer(s), internal investigators will advise officers of their rights in an internal investigation as outlined in General Order 05-02 (Internal Investigations).
  - c.** A criminal investigation takes priority over an administrative one.
- 5.** Deadly Force Review Board (DFRB): Completed administrative and criminal investigations in cases of serious bodily injury or death of a person by uses of force other than a vehicle will be reviewed by a Deadly Force Review Board appointed by the Police Chief. The Police Chief may but is not required to appoint a DFRB in cases involving motor vehicle operation by an officer.
  - a.** Each DFRB will have three sworn members and two civilian members. Two sworn members will be selected from within the Department and one sworn member will be selected from an outside agency. Officers in the chain of command of the involved officer(s), those involved in the incident or the investigation, and those who were at the scene of the incident for any reason are ineligible to serve on the DFRB. A civilian representative will be selected from the City Attorney's Office and a civilian representative will be selected from the community. Civilian representatives are non-voting members.
  - b.** All appointees to the DFRB serve at the discretion of the Chief of Police.
  - c.** The Board will elect a presiding officer from among their members. The Chairperson presides at all Board meetings and votes only in case of a tie.
  - d.** The Board will review reports and facts submitted by Professional Standards and, if applicable, appropriate other investigative sections. The Board will not hear any direct testimony from involved personnel or witnesses. If additional information is needed, the Board will ask the investigative segment to conduct supplemental interviews. The Board will submit a written report indicating its concurrence or non-concurrence with the investigative segments report(s). The report will state specifically the reasons for the Board's conclusions. The DFRB report on a Professional Standards investigation will be sent to the commander of the employee's Bureau. The DFRB report on a criminal or traffic investigation will be sent to the Police Chief.
  - e.** The Board will make a report to the Police Chief, evaluating the quality of supervision prior to, during, and after the incident and the quality of the post-shooting investigative process(es), and recommend establishment or revision of any training, policy, or procedure determined during its review.
- 6.** Civil Rights Investigations. The department will not order or request any of its members who may be suspects to confer with federal investigators without the advice of counsel.

## **XI. DEALING WITH THE AFTER EFFECTS OF USES OF FORCE**

- A.** Mandatory Administrative Leave. When an officer's exercise of police authority results or is likely to result in serious bodily injury or death, the officer will be placed on administrative leave with pay for the rest of that tour of duty and the next regularly scheduled tour of duty. An officer on administrative leave must remain available at all times for official department interviews and statements regarding the incident. While on leave and after return to duty, the officer will not discuss the incident with anyone except assigned investigators, private

attorney, psychologist, chosen clergy, or spouse. (Officers should note that immediate family members other than the spouse are not subject to the confidential communications privilege.)  
(1.3.8)

1. As soon as possible, but no later than five days after the incident, the officer will be sent to a department-furnished psychologist. The purpose of the consultation is to allow the officer to express feelings and to deal with the moral, ethical, and/or psychological aftereffects of the incident. It also allows the psychologist to have input into the assessment of the officer's fitness to return to duty.
  2. The consultation with the psychologist will not be related to any department investigation of the incident. Nothing discussed in the consultation, except as it relates to the officer's fitness for duty, will be reported to the department. The consultation session will remain protected by the privileged Professional Psychologist Code of Ethics.
  3. The mandatory administrative leave may be extended for a period of time deemed appropriate by the Assistant Chief of the involved employee's Bureau or, in the Assistant Chief's absence, another Assistant Chief, with the input of the officer and psychologist.
  4. When use of force has resulted in death, no officer will be returned to regular duty until an administrative review by the Assistant Chief of the officer's Bureau has been completed and forwarded to the Police Chief for inclusion in the Professional Standards file.
    - a. The purpose of this review is to determine if it would be in the best interest of the department to return the officer to regular duty or to reassign the officer to other duties pending completion of the full investigation into the incident.
    - b. The review must be in writing and indicate the specific findings and reasons for returning the officer to regular duty or reassigning the officer.
    - c. In the case of reassignment, the written report will include either a proposed date of return or a specific date by which the incident will again be reviewed for return to duty determination.
- B. Discretionary Administrative Leave.** An immediate supervisor has discretion to place an officer on administrative leave with pay for the officer's next regular tour of duty for exercise of use of force that results in less than serious bodily injury.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 01-06.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Arrest Warrantless Arrest Probable Cause Arrest Warrants Foreign Nationals	<b>CALEA</b> <a href="#">1.2.5</a> <a href="#">1.2.6</a> <a href="#">1.3.1</a>
<b>SUBJECT</b> Arrest		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the arrest of criminal offenders.

**II. DEFINITIONS**

**Arrest** – a person is arrested when he/she has been actually placed under restraint or taken into custody by an officer or person executing a warrant of arrest, or by an officer or person arresting without a warrant. (TX. C.C.P. Art. 15.22)

**Probable Cause (to arrest)** – Probable cause for an arrest exists where, at the moment the facts and circumstances within the knowledge of the arresting officer and of which he/she has reasonably trustworthy information would warrant a reasonable and prudent person in believing that a particular person has committed or is committing a crime. (Brown v. State, 481 SW2d 106)

**III. POLICY**

The power of arrest is one of the most important powers that law enforcement officers possess. Subsequently, the law places many restrictions on a police officer’s use of that power. It is every officer’s responsibility to be familiar with the laws of arrest which are found in statutes, case law, and the United States Constitution. It is the policy of this Department that all officers shall abide by all applicable laws of arrest when exercising the power of arrest.

**IV. PROCEDURES**

**A. The Arrest Decision ([1.2.6](#))**

1. When a violation of the law occurs, it is the responsibility of a law enforcement officer to take appropriate action. When an offense occurs for which an arrest can be made, officers shall, after considering the total situation, take all reasonable and necessary steps to effect an arrest of the offender(s).
2. The decision as to whether or not an offender should be prosecuted is that of the appropriate prosecuting attorney and not the arresting officer. However, the decision not to arrest is that of the officer and that decision must be made only after considering the following:

- a. Whether the arrest of the offender might cause a greater potential for harm to the general public than the harm that would be caused if the offender was not arrested. For example:
    - (1) A crowd situation in which the decision to arrest an individual may further aggravate the situation, leading to a riot or other mob violence and police manpower and resources may be stretched beyond their limits.
    - (2) A particularly busy night when there is a shortage of officers on duty; an arrest for a minor violation might consume too much of an officer's time, preventing him/her from responding to more serious matters.
  - b. When an alternative to arrest would better serve the interest of the public and the offender. For example:
    - (1) A juvenile offender whose violation may best be handled through a verbal warning, counseling, referral to parents, etc.
    - (2) An intoxicated person who poses little danger to himself/herself or others and may simply need assistance in getting home.
3. A decision not to arrest even when there are grounds for an arrest is considered good police practice under certain circumstances. However, if the officer has any doubts as to whether or not those circumstances exist, he/she should consult with a supervisory officer.
  4. Off-duty officers shall not:
    - a. Arrest traffic violators except when an arrest is necessary to prevent injury to the driver or other persons;
    - b. Make arrests for non-threatening offenses except when the violations are flagrant and repeated and it is not possible to summon an on-duty officer to make the arrest; or
    - c. Make arrests in their own disputes with other persons, in those of their families, or in disputes arising between their neighbors except under circumstances that would justify the arrest to prevent injury to the officer or another person or when a serious offense has been committed.

**B. The Arrest**

1. Only the amount of force necessary to affect the arrest and ensure the safety of the arrestee, the officer, and other persons shall be permitted. *(1.3.1)*
2. The arresting officer shall inform the arrested person of the reason for the arrest, either before or as soon as practical after the person is taken into custody.
3. Normally, all persons placed under arrest should be handcuffed while being transported. Refer to General Order 07-01 (Prisoner Transportation Procedures).
4. The arresting officer is responsible for the safety and protection of the arrestee during the time the arrestee is under the control of the arresting officer.
5. The arresting officer is responsible for the security of personal property in possession or under the control of the arrestee at the time of arrest until such property is turned over to another authorized person or agency.
6. The arresting officer is responsible for ensuring that those rights mandated by federal and state law are provided to the arrestee.

### **C. Warrantless Arrest (1.2.5)**

- 1.** Chapter 14 of the Texas Code of Criminal Procedure authorizes officers to arrest without a warrant under the following circumstances:
  - a.** When the offense is committed in the officer's presence or within his/her view, whether felony or misdemeanor;
  - b.** When a felony or breach of the peace has been committed in the presence or within the view of a magistrate, and such magistrate verbally orders the arrest of the offender;
  - c.** When a person is found in a suspicious place and under circumstances which reasonably show that such persons have been guilty of some felony or breach of the peace or threaten, or are about to commit some offense against the state;
  - d.** When the officer has probable cause to believe a person has committed an assault resulting in bodily injury to another person and the officer has probable cause to believe that there is danger of further bodily injury to that person;
  - e.** When the officer has probable cause to believe a person has committed an offense in violation of section 25.08 of the Texas Penal Code (Violation of Protective Order), if the offense is not committed in the presence of the officer;
  - f.** When the officer has probable cause to believe, based upon the representation of a credible person, that a felony has been committed, and that the offender is about to escape, so that there is no time to procure a warrant;
  - g.** When the officer has probable cause to believe that a person has committed an assault resulting in bodily injury to a member of the person's family or household.
  - h.** If reasonably necessary to verify an allegation of violation of a protective order or the commission of an assault against a member of the family or household a peace officer shall remain at the scene of the investigation to verify the allegation and to prevent the further commission of family violence.
  - i.** When the officer has probable cause to believe that a person has committed an offense under Section 25.08, Penal Code (violation of Protective Order) he/she shall arrest if the offense is committed in his/her presence.
- 2.** The Code of Criminal Procedure uses terminology which is not defined by the Code. Consequently, the courts have had to interpret the meanings of such terms as "breach of the peace" and "about to escape". Officers must continually review case law which has an impact on the law of arrest.
- 3.** In no case will an officer make an arrest that is not supported by probable cause.

### **D. Warrant Arrest (1.2.5)**

- 1.** Only sworn members of the Department may execute a warrant of arrest. An officer may arrest any person based upon the issuance of a valid arrest warrant or *capias*.
- 2.** It is the responsibility of the officer executing the warrant to determine that:
  - a.** The person arrested is the same person for whom the warrant was issued.
  - b.** The warrant is valid on its face.
- 3.** Officers shall confirm the existence of a valid warrant before making an arrest based on a warrant.
  - a.** Warrants held by the Department shall be confirmed through the intake desk employee. A warrant shall not be confirmed unless the actual warrant is in hand.

- b. Warrants held by other agencies shall be confirmed by means of a teletype message from their agency. Confirmation of a warrant from another agency must include a description of the person for whom the warrant is issued and whether or not that department is willing to extradite the arrestee.

**E. Obtaining the Arrest Warrant**

**1. Class C Misdemeanor Offenses**

- a. The officer seeking a municipal court arrest warrant shall submit a notarized, written probable cause statement to the municipal court clerk for review by the judge of the municipal court.
- b. Based on the information provided by the officer, the Municipal Court judge may decide:
  - (1) To have an arrest warrant issued.
  - (2) To have a court summons issued.
  - (3) That probable cause does not exist.

**2. Class B Misdemeanor Offenses and Above**

- a. The officer seeking an arrest warrant for any offense classified as a Class B misdemeanor or above, shall prepare a probable cause statement to be presented to the appropriate prosecuting attorney's office along with the offense report, written statements, and any other evidence supporting the issuance of the warrant.
- b. Based upon the facts of the case, the prosecuting attorney's office may decide:
  - (1) To issue an arrest warrant.
  - (2) To recommend a lesser charge.
  - (3) To decline the case for prosecution.
- c. When a warrant is obtained, it is the responsibility of the officer obtaining the warrant to see that the warrant is entered into TCIC/NCIC by qualified individuals within the Department. The entry shall also state whether there are any restrictions upon the service of the warrant (such as within Texas only). A teletype confirmation that the warrant has been entered into the computer system shall be included in the case file. It is the responsibility of the officer serving the warrant to ensure that it is removed from TCIC/NCIC upon the arrest of the wanted person.

**F. Arrest and Detention of Foreign Nationals**

- 1. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.
- 2. For some countries the notification is mandatory. A list of countries with mandatory notification will be maintained in the intake area.
- 3. Consular officials are entitled to access to their nationals in detention, and are entitled to provide consular assistance.
- 4. When a government official becomes aware of the death of foreign national, consular officials must be notified.
- 5. All notifications and actions regarding a foreign national shall be documented in a report.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 10, 2004	<b>NUMBER</b> 01-07.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Abandoned Property Body Cavity Search Consent Search Plain View Probable Cause Search and Seizure Search Warrants Strip Search Vehicle Search	<b>CALEA</b>  1.2.4 1.2.8 42.2.3 74.3.1
<b>SUBJECT</b> Search and Seizure		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure governing the search and seizure of persons and property.

**II. DEFINITIONS**

**Probable cause** - The facts and circumstances within an officer’s knowledge and of which he/she has reasonably trustworthy information that are sufficient in themselves to warrant a person of reasonable caution in the belief that seizeable property can be found in a particular place or on a particular person.

**Search Warrant** – A written order, issued by a magistrate and directed to a peace officer, commanding him/her to search for any property or thing and to seize the same and bring it before such magistrate.

**III. POLICY**

The law governing search and seizure is based upon guarantees embodied in the United States Constitution and Texas Constitution. Article 1.06 of the Texas Code of Criminal Procedure states, “The people shall be secure in their persons, houses, papers, and possessions from all unreasonable seizures or searches. No warrant to search any place or to seize any person or thing shall issue without describing them as near as may be, nor without probable cause supported by oath or affirmation.” It is the responsibility of every officer of this Department to be familiar with and abide by the law when conducting a search or making a seizure in the performance of official duties. The Department encourages the use of search warrants even under circumstances that do not legally require a warrant, if circumstances permit the acquisition of a warrant without risking loss or destruction of seizeable property.

**IV. PROCEDURE**

**A. Warrant Searches**

1. Officers conducting a search where any party has a reasonable expectation of privacy in the thing or place being searched, shall have a valid search warrant authorizing the search or be able to justify the search as an exception to the search warrant requirement.

2. The officer who obtains a search warrant shall be responsible for executing the warrant within three days from the time of its issuance, exclusive of the day of its issuance and of the day of its execution.
3. Execution of search warrants shall be coordinated by a supervisory officer of the rank of sergeant or above. A sufficient number of officers shall be present to ensure the safety of the officers and other persons and to prevent the destruction or removal of evidence.
4. Upon conducting a warrant authorized search, a copy of the warrant will be presented to the owner or person in possession of the place or thing to be searched, if he/she is present. If the owner or other person in possession is not present, a copy of the warrant will be left in a conspicuous location at the place searched.
5. The officer in charge of the search should ensure that photographs or video are taken of all areas to be searched before and after the execution of the search warrant. (This does not include tactical/dynamic entries.)
6. During the execution of a search warrant, property shall not be unnecessarily damaged or destroyed. Articles of property moved during the search should be returned to their original position, if practical. Any property damaged or destroyed during a search shall be reported to the appropriate Bureau Commander by the officer in charge of the search.
7. If any property is seized during the execution of the search warrant, the officer in charge of the search shall ensure that a written inventory of the seized property is made. A copy of the inventory will be given to the owner or person in possession of the property. If the owner or other person is not present, a copy of the inventory will be left at the place in a conspicuous location along with a copy of the search warrant.
8. The officer who obtains a search warrant is responsible for ensuring the proper return of the warrant. The warrant shall be accompanied by a copy of the inventory of property seized pursuant to the warrant.

**B. Searches Incident to an Arrest**

1. A search warrant is not required to search a person who has been legally arrested.
2. Arresting officers shall conduct a search of all arrested persons to the extent necessary to protect the officer, the arrestee, and any other person.(1.2.4g)
3. The parameters of a search incident to a lawful arrest are:
  - a. Officers may conduct a full search of the arrested person regardless of the reason for arrest; however, strip searches and body cavity searches are not permitted except in circumstances outlined in paragraph 5 and 6 of this section.
  - b. Officers may also search the area within the immediate control of the arrestee for weapons and evidence which may be destroyed.
4. The officer conducting a search incident to a lawful arrest shall seize the following types of property:
  - a. Weapons or other items which could be used to injure the officer or affect an escape.
  - b. Evidence of the crime for which the arrest is made.
  - c. Instrumentalities used to commit the crime.
  - d. Contraband, the possession of which constitutes an offense.
  - e. Evidence of a crime.

**5. Strip Searches (1.2.8a)**

- a.** Strip searches will be conducted only when there is a reasonable and articulable cause to believe that a weapon or contraband is secreted on the arrestee's body and is discoverable only by a strip search. The cause shall be articulated in the arrest report and/or case supplemental report. (1.2.8c)
  - b.** A strip search will not be conducted in place of or prior to an exterior pat down search.
  - c.** Strip searches will be conducted by officers of the same sex.
  - d.** Strip searches shall be conducted as privately as possible and out of view of persons of the opposite sex. (1.2.8b)
  - e.** Officers conducting a strip search shall not touch the arrestee except for purposes of safety and control.
- 6.** Body cavity searches may be conducted only on authority of a search warrant and shall be performed by medical personnel in a sanitary environment, unless exigent circumstances dictate otherwise. If exigent circumstances are utilized to conduct a body cavity search, supervisor approval must be obtained and the incident documented. (1.2.8a) (1.2.8b)(1.2.8c)
- 7.** Only sworn police officers will conduct searches on arrested persons or suspects.
- 8.** Officers will not choke, grab and/or squeeze a person's throat area or place their hands or fingers into the mouth of a person in order to recover possible drugs or contraband.

**C. Consent Searches (1.2.4a)**

- 1.** Officers may conduct a search of premises or property after obtaining the voluntary consent of the person who has authority to consent to a search of the premise or property.
- 2.** Officers shall not use coercion, duress, or deceit to obtain consent to search.
- 3.** Officers shall not falsely claim to possess a search warrant in order to obtain consent to search.
- 4.** When requesting consent to search, officers shall notify the owner or person in control of the premise or property to be searched of the following:
  - a.** The right to refuse to consent to the search.
  - b.** The right to limit the scope of the search.
- 5.** Officers conducting a consent search shall limit the search to those areas within the scope of the consent and shall immediately terminate the search if consent is revoked unless legal justification to continue the search is established prior to the revocation of the consent.
- 6.** Officers shall obtain written consent prior to conducting a consent search. The consent to search form shall be used for that purpose.
- 7.** The person granting consent must remain in a position where they can revoke consent if they so choose.

**D. Vehicle Searches**

- 1.** An officer may conduct a warrantless search of a motor vehicle stopped on a public roadway if the officer has probable cause to believe that the vehicle contains items subject to seizure or has reasonable suspicion that the vehicle contains weapons which might be used to assault the officer. (1.2.4c)

2. The scope of the warrantless search of a vehicle is limited by the object of the search and the places within the vehicle for which there is probable cause to believe that seizable items may be found.
3. When a vehicle has been impounded and there is reason to believe the vehicle contains items subject to seizure, officers shall obtain a search warrant prior to searching the vehicle.
4. The contents of an impounded vehicle shall be inventoried by the impounding officer for the purpose of protecting any valuables contained in the vehicle and to protect the officer from a false claim. A routine inventory of an impounded vehicle is not considered a search; therefore any seizable item that is inadvertently discovered during the inventory may be seized without a warrant based on the plain view doctrine. Containers or compartments within the vehicle that are locked shall not be forced open in order to inventory the contents. Containers or compartments shall be inventoried only if they are unlocked or accessible by key. Refer to General Order 06-15 (Vehicle Inventory). *(1.2.4f)*

**E. Frisks**

1. Stop and Frisk refers to the police practice involving the temporary detention, questioning, and limited frisk or pat down of a person suspected of criminal activity.
2. Stop and Frisk is initiated on a reasonable suspicion of crime amounting to less than probable cause for the purposes of crime prevention, criminal investigation, and protection of the officer.
3. When an officer observes unusual activity which leads to a reasonable conclusion that criminal activity may be occurring or about to occur, and that person with whom the officer is dealing may be armed and presently dangerous, the officer may conduct a limited frisk or pat down of the outer clothing of such person in an attempt to discover any weapons which might be used to assault the officer. *(1.2.4b)*

**F. Plain View**

1. An object is in plain view if an officer has the right to occupy the place from where the observation is made.
2. Officers may, as a result of a prior valid intrusion into a constitutionally protected area, seize certain items of evidence without a warrant which are observed “in plain view” under the following criteria: *(1.2.4g)*
  - a. The officer must be in a position in which he/she has a legal right to be.
  - b. The officer must not unreasonably intrude on any person’s reasonable expectation of privacy.
  - c. The officer must actually observe the item of evidence.
  - d. It must be immediately apparent to the officer that the item observed is evidence subject to seizure, and
  - e. The discovery of the item by the officer must be inadvertent.

**G. Abandoned Property Seizures *(1.2.4g)***

1. Officers may, without probable cause, warrant, or other legal justification, retrieve items of evidence that have been abandoned by their owners.

2. Property is considered to have been abandoned when the owner has voluntarily relinquished all title, possession, or claim to it.

#### H. Limited search under exigent circumstances

1. Exigent circumstance exists in an emergency or unforeseen occurrence or combination of circumstances, which require an officer to act immediately. Examples of exigent circumstance might include, but are not limited to: *(1.2.4e)*
  - a. Bodily injury or death may occur.
  - b. A dangerous wanted suspect may escape.
  - c. Imminent destruction of evidence.
2. Officers may not intentionally create a situation which causes exigent circumstance to apply.
3. Officers must document the exigent circumstances existing in reporting the incident.
4. In an emergency, an officer may enter a premise or vehicle without a search warrant if the officer has probable cause to believe immediate entry must be made to aid person(s) in immediate danger of death or bodily injury, or to prevent the imminent destruction of evidence or property.
5. Prior to involuntary or forced entry, and within limits allowed by the particular emergency, the officer should reasonably attempt to obtain voluntary admittance to the premises or vehicle. Following entry, the officer may search the premises or vehicle only to the extent necessary to carry out the purposes of the entry and protection of officers.

#### I. Crime Scene Searches and Searches in Public Places

1. Private Property - Assuming an officer has a right to take control of private premises; initial searches conducted at a crime scene on private property should be limited to obtaining control of the scene. Two situations common for an officer to be able to legally search a private premise without a warrant are exigent circumstances and protective sweeps. Once a crime scene on private property is secured, officers should obtain a warrant or consent before continuing a search. In cases where consent may be challenged, officers should obtain a search warrant. Any items immediately identifiable as evidence found in plain view during the initial search may be seized. Refer to General Order 08-05 (Collection and Preservation of Evidence). *(1.2.4d)*
2. Public Places - Officers may conduct searches and seize evidence found in public places without a search warrant. This includes privately owned open fields, parking lots and other common areas of private property that are accessible to the public. If the owner (or his representative) of the private property requests a search be stopped, officers should secure the location and obtain a warrant before continuing with the search.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> 15 June 2004	<b>NUMBER</b> 01-08.1
<b>CATEGORY</b> Law Enforcement Role, Responsibility, & Relationships	<b>INDEXED AS</b> Dispute Resolution	<b>CALEA</b> <a href="#">1.1.3</a>
<b>SUBJECT</b> Dispute Resolution		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Department policy and procedures in support of the mediation process as established by the Dispute Resolution Center.

**II. POLICY**

The Bryan Police Department is committed to involving citizens in solving community problems. Employees are encouraged to refer citizens involved in on going neighborhood conflicts to the Dispute Resolution Center to address problems which fall outside the jurisdiction of the criminal court system. Dispute Resolution Center referrals may reduce the time spent on such recurring calls for service, and may also reduce the number of lower priority cases entering the criminal court system. [\(1.1.3\)](#)

**III. REGULATION**

- A.** The purpose of the dispute resolution program is to serve as a resource to department employees in situations where there is no suitable legal remedy, yet an ongoing conflict exists and police involvement is desired by one or more of the involved parties.
- B.** The program shall be coordinated by the Dispute Resolution Center in conjunction with the Bryan Police Department's Night Patrol Division.

**IV. PROCEDURE**

- A.** The Dispute Resolution Center will be accessible to disputants through a referral from the Bryan Police Department. Referrals through the Department shall be made in the following manner:
  - 1.** When a Department employee determines that there is no formal or prescribed legal remedy available to resolve a call for service involving a dispute the employee may, when appropriate refer the matter to the Dispute Resolution Center for mediation.
  - 2.** The employee will contact the disputants and obtain information concerning the conflict or dispute. This information may include previous offense/incident reports involving the disputants.

3. The employee will consult with his/her immediate supervisor to review the facts in the case and to determine if the dispute is suitable for mediation.
  4. The employee shall inform the involved parties that a referral is being made to the Dispute Resolution Center, and determine if all involved parties are willing to participate. The employee will provide the appropriate dispute resolution center forms to the disputants and establish a date and time for disputants to report to the Bryan Police Department for participation in mediation.
  5. The employee shall contact the Dispute Resolution Center within 48 hours of scheduling a mediation to inform them of the nature of the dispute and the date, time, and location of the mediation.
  6. The Dispute Resolution Center will coordinate for one or more mediators to attend the scheduled mediation.
  7. The Dispute Resolution Center will contact the disputants on the date scheduled for mediation and remind them of their commitment to the mediation.
  8. The employee is encouraged to attend the initial mediation to provide background information on the dispute and answer any questions that the mediators and/or disputants may have.
  9. The Night Patrol Division Lieutenant, or designee, will schedule two rooms within the Department for use during the mediation process at the request of the Dispute Resolution Center. One room will be used to assemble all parties and mediators to discuss the scope and nature of the dispute, and one smaller room in which the disputants will be isolated for follow up negotiations.
- B.** A mediation session shall be scheduled through the Dispute Resolution Center if the following criteria are met:
1. All involved parties are willing and available to participate.
  2. The dispute does not involve an active case pending in civil or criminal court.
- C.** The nature of the mediation process requires that:
1. The process is removed from the criminal justice system.
  2. Participation is voluntary on the part of the disputants.
  3. All parties follow confidentiality guidelines. The mediation process and all sessions shall remain confidential unless the information pertains to one of the following three exceptions.
    - a. Abuse of a child is discovered.
    - b. Abuse of an elderly or vulnerable adult is discovered.

- c. Actual violence or threat of violence is observed.
- 4. Mediators do not render a decision or impose a resolution to the conflict. A successful mediation session results in the generation of a binding agreement between the disputants.
- 5. Each party shall receive a copy of the agreement.
- 6. While the police cannot enforce such a document, the courts do recognize these agreements when and if the dispute develops into formal litigation.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 23, 2003	<b>NUMBER</b> 02-01.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Value Statement Mission Statement Motto Statement	<b>CALEA</b> <a href="#">12.2.1a</a>
<b>SUBJECT</b> Mission and Values		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to state the values, mission, and motto of the Bryan Police Department.

**II. OUR VALUES**

Value Statement: [\(12.2.1a\)](#) The members of the Bryan Police Department are committed to a set of values that guide our organization and assist to perform our duties in an exceptional manner. They include:

- P Professionalism
- R Respect
- I Integrity
- D Dedication
- E Ethics

**III. OUR MISSION [\(12.2.1a\)](#)**

The Bryan Police Department is committed to provide superior police service to the public in order to protect life, property and the freedoms secured by the Constitution. We will identify and solve problems by forming partnerships with citizens to enhance the quality of life within our community.

**IV. OUR MOTTO**

“To Serve and Protect with Courtesy, Pride and Professionalism.”

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 23, 2003	<b>NUMBER</b> 02-02.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Goals Objectives	<b>CALEA</b> <a href="#">11.5.1</a> <a href="#">11.5.2</a> <a href="#">17.2.2</a>
<b>SUBJECT</b> Goals and Objectives		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

## I. PURPOSE

The purpose of this directive is to define and establish procedures for the development of Departmental goals and objectives.

## II. DEFINITIONS

**Goal** – A statement of broad direction, general purpose and intent. A goal is a statement of what we want to accomplish.

**Objective** – A statement of a desired accomplishment which can be measured within a given time period and under specifiable conditions. An objective is a statement of how we plan to accomplish a goal.

## III. POLICY

Members responsible for the development of goals and objectives shall solicit input from all personnel who will be affected by and responsible for the accomplishment of the goals.

## IV. PROCEDURES

A. A goal statement will contain the following characteristics:

1. It will begin with the word "To."
2. It will contain a statement of the desired and intended result or condition.
3. It will be written.
4. It will have been jointly formulated and understood.

B. Each goal statement must be accompanied by one or more objectives which indicate how the goal will be accomplished.

C. An objective must be:

1. Observable.
2. Measurable.

3. Attainable.
4. Time specific.

**D.** The following is an example of a proper goal statement followed by objectives:

GOAL                    “To reduce residential burglaries.”

OBJECTIVE            “To reduce the number of reported residential burglaries by 5% during the next twelve months by implementing a Directed Patrol Program that will increase the visibility of uniformed patrol officers in targeted neighborhoods.”

                                 “To increase the number of arrests of habitual burglary offenders by 10% during the next twelve months by implementing a Repeat Offender Program (R.O.P).”

**E.** The Department shall establish goals and objectives to ensure that the direction of the Department is consistent with the Mission Statement.

1. Along with the annual budget request submittal, each Bureau within the Department shall submit written recommendations for goals and objectives for the fiscal year. The goals and objectives shall be reviewed and approved through the chain of command to the Chief of Police. *(11.5.1)*
  - a. The goals and objectives shall tie into the respective budget request submissions, with impact statements outlining the consequences on the level of customer service. *(17.2.2)*
  - b. Personnel at all levels of the Department shall be consulted to provide input during the development stage of the goals and objectives and shall be advised of the final selection of goals and objectives prior to submission to the next level in the chain of command. *(11.5.1)*
  - c. Once approved, each Bureau shall post their individual goals and objectives within their work area. *(11.5.1)*
2. A status of the current Fiscal Year's goals and objectives shall precede this submission, outlining the progress made on each, and the proposed goals for the annual operating budget. *(11.5.2)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> December 09, 2005	<b>NUMBER</b> 02-03.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Written Directives General Orders Special Orders Operations Manual	<b>CALEA</b> <a href="#">12.2.1</a> <a href="#">12.2.2</a>
<b>SUBJECT</b> Written Directive System		
<b>AUTHORIZING SIGNATURE</b>		

**I. PURPOSE**

The purpose of this directive is to establish the Department’s written directive system governing the promulgation, format, and dissemination of written polices, procedures, rules, and regulations.

**II. DEFINITIONS**

**City** - The City of Bryan, Texas.

**Department** - The Bryan Police Department.

**Employee** - Any member of the Department who is licensed as a peace officer or civilian employee.

**Office of the Chief of Police** - Consists of the Chief of Police and those individuals and positions which answer directly to the Chief.

**Policy** - A written statement of Department principles for the behavior of personnel; policy statements are general in nature, establishing the outer limits of acceptable behavior.

**Procedure** - A written guideline for performing a particular activity or proceeding under particular circumstances.

**Rules and Regulations** - Specific guidelines or requirements which must be adhered to by all employees.

**Operations Manual** - Refers to the manual of General Orders

**Shall** - Indicates that an action is mandatory.

**Will** - Same as “shall.”

**Should** - Indicates that an action is preferred but not mandatory; allows for the use of discretion depending on the circumstances.

**III. POLICY**

The purpose of a Written Directive System is to provide a means for conveying policy, procedures, rules and regulations, and other official notices to the employees of the Department. Such notices shall be issued in the form of a directive as prescribed in this General Order.

The most common of these directives, General Orders, shall be compiled into an operating manual for the Department. It is recognized that the policies, procedures, rules and regulations contained in this manual greatly affect each employee of the Department. For this reason, it is important that each employee have an opportunity to participate in the development and implementation of the policies contained in the manual. The Department, through command and supervisory personnel, shall solicit input from all levels of the agency in developing the contents of the manual. It is the responsibility of each employee to offer appropriate input when it is solicited.

The task of developing the final product has been delegated to the Accreditation Officer, however, it is the responsibility of all command and supervisory personnel to ensure implementation of and compliance with the directives contained in this manual. The manual will be subjected to constant review and revision. It is the responsibility of each employee to present ideas for revisions, amendments, and additions to the manual.

While the manual is intended to provide a comprehensive guideline for operational purposes, it does not and can not contain the solutions to all problems confronted by the Department. Unique situations will arise from time to time that are not addressed by these directives. In those cases, employees shall rely upon common sense, good judgment, and the principles contained in the Law Enforcement Code of Ethics to address the problem.

#### **IV. REGULATION**

**A.** Written Directive System is established to include the following:

1. Statements of Department policy.
2. Procedures for carrying out Department activities.
3. Department rules and regulations.
4. Other official orders and notices.
5. Procedures for indexing, purging, updating, and revising directives.
6. A standardized format for written directives.

**B.** The Written Directive System consists of four types of directives:

1. General Orders: Permanent written orders issued by the Office of the Chief of Police prescribing policies, procedures, rules, and regulations governing the internal and external affairs of the Department which employees will adhere to in the performance of their duties.
  - a. General Orders shall be issued, revised and deleted only under the authority and signature of the Chief of Police or his/her designee and shall be maintained in the Department's Operations Manual. *(12.2.1b)*
  - b. A copy of each general order issued will be distributed to all employees of the Department, who shall be responsible for familiarizing themselves with the contents.
  - c. The Accreditation Officer is responsible for compiling, publishing, and distributing the final draft of all general orders and shall maintain a master file and index system for all existing orders.
2. Special Orders: Written orders issued by the Office of the Chief of Police that serve to facilitate immediate changes to departmental policies, procedures, rules, and regulations.

Special Orders will serve to update, rescind, or implement policies, and will be incorporated into general orders when the Operations Manual is periodically reissued.

- a.** Special Orders shall be issued only under the authority and signature of the Chief of Police or his/her designate.
    - b.** A copy of a special order shall be distributed to each individual affected by the order and may also be posted on Departmental bulletin boards for general distribution.
    - c.** The Accreditation Officer shall be responsible for compiling, publishing, distributing, and maintaining a file of all special orders issued.
  - 3.** Departmental Memorandum: Written communications issued by employees of the Department to address and conduct departmental operations.
    - a.** Memorandums sent past an employee's immediate supervisor shall be sent through each supervisor in the chain of command prior to being forwarded to the person addressed.
    - b.** Supervisors shall acknowledge receipt of a memorandum by initialing prior to forwarding to the next level.
    - c.** In addition to acknowledging receipt of a memorandum, supervisors shall indicate in writing whether they concur, disagree, etc., with the memorandum contents. If necessary, the supervisor may attach a separate sheet containing their comments.
    - d.** The Staff Assistant shall be responsible for compiling and maintaining a file of all Departmental Memorandums issued or approved by the Chief of Police.
  - 4.** Staff Reports: Written reports issued by employees of the Department that serve to provide analysis of a particular departmental issue or concern.
    - a.** Staff reports sent past an employee's immediate supervisor shall be sent through each supervisor in the chain of command prior to being forwarded to the person addressed.
    - b.** Supervisors shall acknowledge receipt of a staff report by initialing the report and indicate in writing whether they concur or disagree with the report's contents prior to forwarding to the next level.
    - c.** The Staff Assistant shall be responsible for compiling and maintaining a file of all Staff Reports issued or approved by the Chief of Police.

## **V. PROCEDURE**

### **A. Policy Development**

- 1.** The Chief of Police may initiate the development of departmental policies and procedures or may assign the responsibility to a designee.
- 2.** Any employee who has a suggestion or request for the promulgation of new policy shall submit the suggestion or request via electronic mail through the chain of command.
- 3.** Preliminary drafts of all new and revised policies will be distributed to management personnel for the purpose of review and discussion.
  - a.** Copies of new and revised policies may be made available to all employees for comment, through their chain of command, via the Department's electronic mail system.

- b. Based upon input received from staff, supervisors and employees, policy revisions will be made. The revised draft will be submitted to the Chief of Police for final review and signature.
- c. All Departmental policies and procedures must be approved and endorsed by the Chief of Police or his designee prior to implementation. *(12.2.1c)*

## **B. Policy Implementation and Dissemination**

- 1. All policies approved by the Chief of Police shall be affixed with an effective date and distributed to Department employees. Supervisors shall be responsible for ensuring that all new and revised policies are received by the employees under their authority and that each employee fully understands the provisions contained therein. *(12.2.2a)*
  - a. When possible and practical, written communications establishing new policy and procedures shall be distributed to employees at least fourteen (14) days prior to the effective date.
    - (1) All employees shall acknowledge that they have received and reviewed all new or revised directives issued to them. *(12.2.2c)*
    - (2) Employees shall place all new or revised directives in a working file or in the appropriate section(s) of the Department Operations Manual, or other manual, as instructed.
    - (3) It is the responsibility of the supervisor(s) to ensure that each of their assigned employees receives issued policies and directives.
    - (4) Each employee is responsible for maintaining a working file of all directives effecting changes to the Operations Manual. The Operations Manual in electronic format will be updated as needed by the Accreditation Officer. Each Bureau will also maintain a working hardcopy manual that is accessible to their assigned employees. *(12.2.2b)*
    - (5) The master copies (originals) of Department Policy/Procedures shall be maintained by the Accreditation Officer in hard copy and electronic format. *(12.2.2b)*

## **C. Policy Revisions and Corrections *(12.2.1e)***

- 1. Any employee may suggest a revision or correction to a Department policy. Employees who have a suggestion for a revision or change in a policy shall submit the suggestion via electronic mail through the chain of command.
  - a. Revisions and corrections will be addressed through written directives that will be distributed to each employee. Revisions shall have the issued date noted.
  - b. All revisions shall indicate the changes by highlighting the revised areas.

## **D. Policy Review Process *(12.2.1e)(12.2.1i)***

The Chief of Police shall initiate an annual review of each Department Policy/Procedure to determine if a need exists to purge or revise any outdated material. All affected employees are expected to participate in this process and provide feedback to assist in keeping the Department manuals current and useful. Revisions, corrections, deletions and additions shall be accomplished and disseminated in accordance with this policy.

**E. Policy Indexing (12.2.1e)**

An indexing system will be used to cross reference written directives. This will serve to ensure that changes in one area of the manual will also be updated in all other areas affected by that change. The Accreditation Officer shall be responsible for maintaining this system.

**F. Policy Maintenance (12.2.1e)**

The Accreditation Officer shall maintain a file which contains a record of all policy revisions and changes that have been approved or implemented.

**G. Written Directive Formats (12.2.1d)**

**1. General Orders**

- a.** Each general order shall contain a standardized heading which includes; category, subject, authorizing signature, issue date, subject index, number and CALEA references.
- b.** The format found in Attachment 1 shall be used when drafting of compiling a general order.
- c.** The “Purpose” line is a brief statement of intent and scope of the general order.
- d.** The “Definitions” line contains precise statements of the meaning of words or expressions specific to that general order.
- e.** The “Policy” line contains written statements of Department principles for the behavior of personnel; policy statements are general in nature, establishing the parameters of acceptable behavior. (12.2.1f)
- f.** The “Rule/Regulation” line contains specific guidelines or requirements which must be adhered to by all employees. (12.2.1g)
- g.** The “Procedures” line contains written guidelines for performing a particular activity or proceeding under particular circumstances. (12.2.1h)
- h.** General orders shall contain a sequential number which reflects the chapter, sub-chapter and update issued. i.e. 01-01.1 reflects Chapter 1, Sub-chapter 1, version 1.

**2. Special Orders**

- a.** The format found in Attachment 2 shall be used when drafting or compiling a special order.
- b.** The “Special Order” line shall be all capital letters and shall contain a sequential number which reflects year which the order was promulgated and a sequential number indicating the number of special orders disseminated in that given year.
- c.** The “Subject” line shall be all capital letters and shall describe the topic.
- d.** The “Approve” shall bear the signature of the approval authority.
- e.** The “Effective Date” line shall reflect the date the special order will go in effect.

**3. Memorandum**

- a.** The format found in Attachment 3 shall be used when drafting or compiling a memorandum.



- b. The “To” line shall be all capital letters and addressed to the intended recipient.
- c. The “From” line shall be all capital letters and addressed from correspondent.
- d. The “Subject” line shall be all capital letters and shall describe the topic.
- e. The “Date” line shall reflect the date the memorandum was composed.

**4. Staff Report**

- a. The format found in Attachment 4 shall be used when drafting or compiling a staff report.
- b. The subject line indicates what action is proposed. Listing this at the beginning of the report makes it clear what the report is recommending, so readers are not required to read the entire report.
- c. The background paragraph includes all of the pertinent information in order to fully explain the report this includes, facts, assumptions, criteria, and definitions used.
- d. The discussion paragraph provides additional information and alternate solutions considered, but not recommended. The recommendation should be complete enough so that the decision maker needs only to approve or disapprove it. Include attachments with detailed supporting information if necessary or appropriate.
- e. The source of funding paragraph should identify the source of funding for the recommended action. Provide a complete explanation of costs, both initial setup and any ongoing costs needed to fund the recommended action.
- f. The service delivery paragraph should identify the service impact of the recommended action.
- g. The actions following approval paragraph should detail the steps which will be followed after approval to carry the recommendation to complete implementation and/or action.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b>	<b>NUMBER</b>
<b>CATEGORY</b>	<b>INDEXED AS</b>	<b>CALEA</b>
<b>SUBJECT</b>		
<b>AUTHORIZING SIGNATURE</b>		

**I. PURPOSE**

The “Purpose” line is a brief statement of intent and scope of the general order.

**II. DEFINITIONS**

The “Definitions” line contains precise statements of the meaning of words or expressions specific to that general order.

**III. POLICY**

The “Policy” line contains written statements of Department principles for the behavior of personnel; policy statements are general in nature, establishing the parameters of acceptable behavior.

**IV. RULE/REGULATION**

The “Rule/Regulation” line contains guidelines or requirements which must be adhered to by all employees.

**V. PROCEDURES**

The “Procedures” line contains written guidelines for performing a particular activity or proceeding under particular circumstances.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

**Attachment 1 – General Order Format**

**SPECIAL ORDER 2005-20  
BRYAN, TEXAS POLICE DEPARTMENT**

**SUBJECT:**

**APPROVE:** Original with signature on file **EFFECTIVE:**

This Special Order serves as a transmittal document for changes and/or replacement pages to the existing Bryan Police Department General Orders Manual. Upon receipt the prescribed changes should be made immediately, and this Special Order placed at the front of the manual until such time the manual is re-printed.

Bridge Effect: All directives issued under authority of the previous Police Chief remain in effect until revised or superseded by written direction of Police Chief Michael Strobe.

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**Make the following changes to General Order**

**BRYAN POLICE DEPARTMENT  
DEPARTMENTAL MEMORANDUM**

**TO: ALL MEMBERS OF THE BRYAN POLICE DEPARTMENT**

**FROM: MICHAEL L. STROPE, CHIEF OF POLICE**

**SUBJ: BRYAN POLICE DEPARTMENT GENERAL ORDERS**

**DATE: JANUARY 1, 2006**

The “To” line of a departmental memorandum shall be all capital letters and addressed to the intended recipient. The “From” line shall be all capital letters and addressed from the correspondent. The “Subject” line shall be all capital letters and shall describe the topic of the memorandum. The “Date” line shall reflect the date the memorandum was composed. Departmental memorandums shall be composed utilizing times new roman font and 12 pitch.

Departmental Memorandum is written communications issued by employees of the Department to address and conduct departmental operations. Memorandums sent past an employee's immediate supervisor shall be sent through each supervisor in the chain of command prior to being forwarded to the person addressed. Supervisors shall acknowledge receipt of a memorandum by initialing prior to forwarding to the next level.

In addition to acknowledging receipt of a memorandum, supervisors shall indicate in writing whether they concur, disagree, etc., with the memorandum contents. If necessary, the supervisor may attach a separate sheet containing their comments.

The Staff Assistant shall be responsible for compiling and maintaining a file of all Departmental Memorandums issued or approved by the Chief of Police.

**Attachment 3 – Departmental Memorandum Format**

# **BRYAN POLICE DEPARTMENT STAFF REPORT**

**TO:** (Insert Recipient)

**FROM:** (Insert Writer)

**SUBJECT: FORMAT FOR PREPARING A STAFF REPORT**

**DATE:** (Insert Date)

## **RECOMMENDATION**

This paragraph tells the reader exactly what action is proposed. Listing this at the beginning of the report makes it clear to the reader what the report is going to recommend. The reader does not have to read the entire staff report before they understand the recommendation.

## **BACKGROUND**

Include all of the pertinent background information that the reader will need in order to fully understand the report; this includes facts, assumptions, criteria and definitions used.

## **DISCUSSION**

Provide additional information and alternate solutions considered, but not recommended (if applicable). Show how you decided to make the listed recommendation. A staff report should be “completed staff work.” This means the author has proposed a fully thought out and complete solution or recommendation. The recommendation should be complete enough so that the decision maker only needs to approve or disapprove it.

## **COSTS AND REVENUES**

Provide a complete explanation of costs, both initial setup and any ongoing costs needed to fund the recommended action.

## **SOURCE OF FUNDING**

Identify the source of funding for the recommended action.

## **SERVICE DELIVERY**

Identify the service impact of the recommended action.

## **ACTIONS FOLLOWING APPROVAL**

The purpose of a staff report is to provide a complete actionable document. You should present complete work which means that the approving individual only need to approve the report, and the steps which will be followed after approval are listed here to carry the recommendation to complete implementation and/or action.

Attachments:

1. Attachment 1
2. Attachment 2
3. Attachment 3 ... as necessary.

**Attachment 4 – Staff Report Format**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 04, 2005	<b>NUMBER</b> 02-04.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Organizational Structure	<b>CALEA</b> <a href="#">11.1.1</a> <a href="#">11.1.2</a> <a href="#">11.2.2</a> <a href="#">12.1.2d</a> <a href="#">51.1.2</a>
<b>SUBJECT</b> Organizational Structure and Function		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the Department’s organizational structure.

**II. DEFINITIONS**

**Bureau** - The largest organizational component within the Department. Each Bureau is commanded by an Assistant Chief of Police and contains one or more Divisions.

**Division** - The largest component within a Bureau. A Division has a Department wide function either for general police service or for specialized activity. A Division is commanded by a lieutenant or civilian manager, i.e. Special Operations Division or Auxiliary Services Division.

**Unit** – The largest organizational component within a Division. A Unit is commanded by a sergeant or civilian supervisor, i.e. Traffic Safety Unit or Records Unit.

**Team** – The largest organizational component within a Unit. The duties of some Units call for specialization and therefore personnel may be further classified according to their duties, i.e. the Narcotics Investigation Team of the Criminal Investigations Division.

**Shift** – An established period of time that an employee works.

**III. ORGANIZATIONAL STRUCTURE *(11.1.1) (12.1.2d)***

**A.** The Bryan Police Department is divided into four operational components:

1. Office of the Chief of Police
2. Field Operations Bureau
3. Investigations Bureau
4. Operations Support Bureau

**B.** Each bureau is commanded by an Assistant Chief of Police, who reports directly to the Chief of Police.

C. Each bureau is sub-divided into divisions, units, and teams.

#### IV. OFFICE OF THE CHIEF OF POLICE

- A. The Chief of Police is the chief executive officer for the Police Department, as authorized by the City of Bryan Code of Ordinances.
1. The Chief of Police is responsible for the management, direction, and control of the operations and administration of the Department.
  2. The Chief of Police answers directly to the City Manager.
  3. Also reporting to the Chief of Police is the:
    - a. Staff Assistant. The Staff Assistant is responsible for clerical duties as delegated by the Chief of Police.
    - b. Finance Clerk. The Finance Clerk is responsible for financial duties as delegated by the Chief of Police.

#### V. FIELD OPERATIONS BUREAU

- A. The Field Operations Bureau is organized into three major components: the Day Patrol Division, the Night Patrol Division, and the Special Operations Division. Each division is commanded by a Lieutenant who reports directly to the Field Operations Bureau Assistant Chief. Also reporting to the Field Operations Bureau Assistant Chief is the Bureau Assistant who is responsible for maintaining the Field Operations Bureau's equipment and inventory and the Bureau Secretary who is responsible for clerical duties.
1. **Day Patrol Division** The Day Patrol Division is organized into five components: Day Unit I-E (Early Shift), Day Unit I-L (Late Shift); Day Unit II-E (Early Shift), Day Unit II-L (Late Shift); and The Traffic Safety Unit. Each Day Patrol Division Unit is supervised by a Sergeant who reports directly to the Day Patrol Division Lieutenant.
    - a. Day Unit I-E (Early Shift) and Day Unit I-L (Late Shift). Each component is supervised by a Patrol Sergeant. (11.2.2) The primary responsibility of the patrol units is public safety accomplished through the maintenance of public order, the enforcement of state and local laws and the prevention of crime and the apprehension of criminals. Duties include, but are not limited to, responding to calls for service, problem solving through community oriented policing and the preliminary investigation of criminal activity discovered or reported during the tour of duty.
    - b. Day Unit II-E (Early Shift) and Day Unit II-L (Late Shift). Each component is supervised by a Patrol Sergeant. (11.2.2) The primary responsibility of the patrol units is public safety accomplished through the maintenance of public order, the enforcement of state and local laws and the prevention of crime and the apprehension of criminals. Duties include, but are not limited to, responding to calls for service, problem solving through community oriented policing and the preliminary investigation of criminal activity discovered or reported during the tour of duty.



- c. Traffic Safety Unit. The Traffic Safety Unit is comprised of motorcycle officers who enforce traffic laws, accident collision reduction, and investigation of assigned traffic accidents within the City's jurisdiction.
2. **Night Patrol Division** The Night Patrol Division is organized into five components: Night Unit I-E (Early Shift), Night Unit I-L (Late Shift); Night Unit II-E (Early Shift), Night Unit II-L (Late Shift); and The Power Shift/Canine Unit. Each Night Patrol Division Unit is supervised by a Sergeant who reports directly to the Day Patrol Division Lieutenant.
- a. Night Unit I-E (Early Shift) and Night Unit I-L (Late Shift). Each component is supervised by a Patrol Sergeant. (11.2.2) The primary responsibility of the patrol units is public safety accomplished through the maintenance of public order, the enforcement of state and local laws and the prevention of crime and the apprehension of criminals. Duties include, but are not limited to, responding to calls for service, problem solving through community oriented policing and the preliminary investigation of criminal activity discovered or reported during the tour of duty.
  - d. Night Unit II-E (Early Shift) and Night Unit II-L (Late Shift). Each component is supervised by a Patrol Sergeant. (11.2.2) The primary responsibility of the patrol units is public safety accomplished through the maintenance of public order, the enforcement of state and local laws and the prevention of crime and the apprehension of criminals. Duties include, but are not limited to, responding to calls for service, problem solving through community oriented policing and the preliminary investigation of criminal activity discovered or reported during the tour of duty.
  - e. Power Shift/Canine Unit. This unit is comprised of patrol officers and canine officers. Both components are supervised by a Sergeant. (11.2.2) The power shift's primary responsibility is the preliminary investigation of crimes and calls for service by citizens occurring during the shift. The Canine Unit is responsible for providing expertise in the area of crowd control, suspect/evidence searches, and detection of drugs.
3. **Special Operations Division** The Special Operations Division is organized into five components: Directed Deployment Unit, Code Enforcement Unit, Animal Control Unit, Reserve Officer Unit, and the Emergency Response Unit. Each unit, with the exception of the Reserve Officer Unit and Code Enforcement Unit, is supervised by a Sergeant who reports directly to the Lieutenant over the Special Operations Division. The Reserve Officer Unit is supervised by a reserve Major and the Code Enforcement Unit is supervised by a Civilian Supervisor who both report directly to the Special Operations Division Lieutenant. (11.2.2)
- a. Directed Deployment Unit. The Directed Deployment Unit is comprised of police officers supervised by a Sergeant. The Unit's primary responsibility is to investigate and suppress organized crime, gang related crimes, drug activity, and vice associated crimes.
  - b. Code Enforcement Unit. The Code Enforcement Unit is comprised of code enforcement officers who are responsible for investigating and enforcing violations of the City's Code of Ordinances within the City's jurisdiction.
  - c. Animal Control Unit. The Animal Control Unit shall patrol the streets and right-of-ways within the City of Bryan for the purpose of providing animal control

services. Animal Control Officers shall conduct themselves in a courteous, professional manner, and treat animals humanely at all times. They are responsible for a variety of code enforcement and public service tasks related to the care, control, and licensing of animals within the City of Bryan.

- d. Reserve Officer Unit. The Reserve Officer unit is comprised of reserve police officers who are responsible for carrying out the same mission as full-time patrol officers on a part time basis. Reserve Officers may also work plain clothes assignments and assist in other areas of the Department upon request.
- e. Emergency Response Unit. The E.R.U. is organized into three sub-components: the Tactical Response Team (T.R.T.) and the Crisis Negotiations Team (C.N.T.) and the Logistics Support Team (L.S.T.). The T.R.T. and C.N.T. are both supervised by Sergeants. The L.S.T. is comprised of logistics specialists who reports directly to the Special Operations Lieutenant when deployed. The E.R.U. is deployed in situations which are beyond the scope of the Patrol Divisions and require specialized expertise and training, such as barricaded subjects, or hostage situations.
- f. Bureau Assistant. The Bureau Assistant is responsible for coordinating the vehicle/equipment maintenance of the Department's fleet, the upkeep and organization of the report writing room, shift briefing room, and the equipment lockers. The Bureau Assistant reports directly to the Field Operations Bureau Commander.
- g. Bureau Assistant. The Bureau Assistant is responsible for clerical duties as delegated by the Field Operations Bureau Commander.

## VI. INVESTIGATIONS BUREAU

- A. The Investigations Bureau is organized into two major components: the Criminal Investigation Division and the Professional Standards Division. The Criminal Investigation Division and the Professional Standards Division are supervised by Lieutenants who report directly to the Assistant Chief over the Investigations Bureau. Also reporting to the Investigations Bureau Assistant Chief is the Crime Analyst. *(11.2.2)*
  - 1. **Criminal Investigation Division.** The Criminal Investigation Division is organized into three components: the Crimes Against Persons Unit, Crimes Against Property Unit and the Major Crimes Unit. Each unit is supervised by a Sergeant who reports directly to the Criminal Investigation Division Lieutenant. *(11.2.2)*
    - a. Crimes Against Persons Unit. This unit is comprised of detectives and investigative assistants who are responsible for follow-up investigations of felony or misdemeanor crimes referred from the Patrol Divisions. The Crimes Against Persons Unit investigates homicides, robberies, aggravated assaults, and juvenile investigations. This unit also includes the Crime Scene Detective, and the Crime Victim Assistant.
      - (1) Crime Scene Detective. The Crime Scene Detective is responsible for the processing of crime scenes and the collection of evidence.
      - (2) Crime Victim Assistance Unit. The Crime Victim Assistant is responsible for the administration of the Department's crime victims program which provides services to victims of violent crime.
    - b. Crimes Against Property Unit. This unit is comprised of detectives and investigative assistants who are responsible for follow-up investigations of felony or misdemeanor crimes referred from the Patrol Divisions. The crimes against property unit

investigate forgeries, frauds, computer crimes, burglaries and thefts. This unit also includes the Division Clerks, the Narcotic Investigations Team, and the Pawn Team.

(1) Narcotic Investigation Team. This team conducts illegal drug investigations by developing information through interviews and the use of confidential informants. The Narcotics Investigation Team investigates mid-level and upper-level narcotic and drug dealers.

(2) Pawn Team. This team consists of an investigative assistant, a volunteer, or a combination of the two. This team locates and recovers stolen property at pawn shops.

c. Major Crimes Unit. The major crimes unit will investigate all cases involving questionable and/or unnatural death including fatality accidents, robberies, aggravated assaults, series sex crimes and any other case(s) as needed. Another goal is to reinvestigate or review all unsolved homicide cases.

2. **Professional Standards Division** The P.S.D. Lieutenant is responsible for the investigation of allegations or suspicions of employee misconduct. The P.S.D. Lieutenant is granted authority and is authorized to report directly to the Chief of Police during formal investigations involving complaints of employee misconduct when such complaints involve corruption, brutality, or official misconduct. (52.1.2)

3. **Crime Analyst** The Crime Analyst is responsible for the collection, analysis, and dissemination of criminal intelligence in support of the Police Department's operations.

## VII. Operations Support Bureau

A. The Operations Support Bureau is organized into two major components: the Support Services Division and the Auxiliary Services Division. The Support Services Division is commanded by a Lieutenant and the Auxiliary Services Division is managed by a Business Manager. (11.2.2) Both individuals report directly to the Operations Support Bureau Assistant Chief. Also reporting to the Assistant Chief over the Operations Support Bureau is the Public Information Officer and the Accreditation Manager.

1. **Support Services Division.** The Support Services Division is organized into three components: the Training/Recruiting Unit, School Resource Officer Unit, and the Police Chaplain Unit. Each of these units is supervised by a Sergeant who report directly to the Lieutenant over the Support Services Division. (11.2.2)

a. Training/Recruiting Unit. The Training/Recruiting Unit is responsible for all Departmental training (sworn and non-sworn) as well as the administration of the Department's field training officer program (FTO) program. The unit acts as the Department's liaison to the Texas Commission on Law Enforcement Officers Standards and Education (T.C.L.E.O.S.E.). The unit is responsible for recruiting qualified police applicants and assists with the supervision of police recruits attending the regional police academy. The drug awareness and resistance education (D.A.R.E) officers also included in the Training/Recruiting Unit and are responsible for providing instruction from the D.A.R.E. curriculum to grades kindergarten through eight in schools within the City.

b. School Resource Officer Unit. The School Resource Officer (SRO) Unit is comprised of uniformed police officers who are specially trained and responsible for the police service delivery on middle school and high school campuses.

- c. **Police Chaplain Unit.** Police Chaplains Unit is comprised of chaplains who serve on a strictly volunteer basis to provide counseling, death notification, and assistance to the public and departmental personnel times of crisis.
- 2. **Auxiliary Service Division** The Auxiliary Services Division is organized into three components: the Intake Unit, the Central Records Unit, and the Property and Evidence Unit. The Intake and Records Management Units are each managed by a supervisor who reports directly to the Auxiliary Services Division Manager. The Property and Evidence unit is managed directly by the Auxiliary Services Manager. *(11.2.2)*
  - a. **Intake Unit.** The Intake Unit is comprised of intake specialists and a teleserve specialist who are responsible for staffing the information desk on a 24 hour basis, conducting warrant checks, monitoring law enforcement computers, and the reporting of offenses and incidents as they occur.
  - b. **Records Management Unit.** The Records Management Unit is comprised of data entry specialists who are responsible for the collection, data entry, dissemination, and maintenance of all police reports and other related documents generated by the Department.
  - c. **Property & Evidence Unit.** The Property and Evidence Unit is directly supervised by the Division Manager and is responsible for the storage and disposal of all property and evidence seized by the Department. The storage and distribution of Department equipment is also coordinated through the Property and Evidence Unit.
- 3. **Public Information Officer.** The Public Information Officer is responsible for building and maintaining a professional image of the Department through a structured media-public information program responsive to the needs and concerns of the public.
- 4. **Accreditation Manager.** The Accreditation Manager oversees the accreditation process to ensure that the Department establishes policies and procedures which support the goals of; formalizing essential management features, establishing fair and nondiscriminatory personnel practices, improving service delivery, solidifying inter-agency cooperation and coordination, and increasing citizen and staff confidence in the Department.

## VIII. ORGANIZATIONAL CHART *(11.1.2)*

- A. The Department's graphical organizational chart is accessible to all employees at <R:\BPD Master Folder\BPD Organizational Chart 021405.xls> using Microsoft© Excel

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 18, 2004	<b>NUMBER</b> 02-05.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Chain of Command	<b>CALEA</b> <a href="#">11.2.1</a> <a href="#">11.2.2</a> <a href="#">11.3.1</a> <a href="#">11.3.2</a> <a href="#">12.1.2a</a> <a href="#">12.1.2b</a> <a href="#">12.1.2c</a>
<b>SUBJECT</b> Chain of Command		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this policy is to establish the command structure, order of command in the absence of the Chief of Police, and to delineate the organizational structure for command authority.

**II. POLICY**

It is the policy of the Department to have organized components and clearly defined lines of authority that best promote and further the community oriented policing philosophy, provide exceptional customer service to our citizens, and promote the efficient and effective allocation of resources that will assist in successful accomplishment of the Department's mission

**III. REGULATION**

**A. Chain of Command**

1. The Department shall utilize a chain of command for command, control, communication, and direction of agency personnel. The following chain of command has been established and shall be adhered to by members of the Department:
  - a. City Manager
  - b. Chief of Police
  - c. Assistant Chief of Police
  - d. Lieutenant/Division Manager
  - e. Sergeant/Supervisor
  - f. Officer/Non-sworn Employee
2. Each organizational component will be under the direct command of only one (1) supervisor. [\(11.2.2\)](#)
3. Each employee will be responsible to one (1) supervisor as outlined in the Department's organization chart. [\(11.2.1\)](#)
4. Supervisors, both sworn and civilian, will not directly perform day to day supervision of more than ten (10) employees, except if unusual circumstances exist. Assistant Police

Chiefs are not considered as having day to day supervisory responsibility to all personnel assigned to their Bureau, but delegate authority to their subordinate supervisors.

5. In situations involving two or more organizational components, the highest ranking supervisor of the component actively involved in the event will assume command responsibility, until such time as that component's participation has been completed or turned over to a specialty unit, i.e., C.I.D., Traffic Investigations, etc. *(12.1.2c)*
6. The Chief of Police shall have final authority to designate command authority.
7. In the absence of the Chief of Police, the senior Assistant Chief of Police will assume executive command of the Department, unless otherwise designated. *(12.1.2a)*
  - a. In the absence of the Chief of Police and Assistant Chiefs, the senior Lieutenant will assume executive command of the Department, unless otherwise designated. *(12.1.2a)*
  - b. In the absence of the Chief of Police, Assistant Chiefs, and all Lieutenants the senior Sergeant will assume executive command of the Department, unless otherwise designated. *(12.1.2a)*
8. The Chief of Police shall be in command of all law enforcement resources committed to an unusual occurrence, within the City limits, unless he/she designates or delegates that authority to another individual or agency. *(12.1.2.b)*
9. Supervisors and managers shall not assume command outside of their own area of the organization structure except when failure to do so would seriously endanger the community or the Department.

#### **B. Administrative Authority and Responsibility**

1. The Chief of Police has executive authority for the Department which is established in Section 2-431 of the Bryan City Ordinance. The Chief of Police will have the ultimate responsibility for the protection of life and property, preservation of law and order, investigation and suppression of all crimes, and the enforcement of state laws and city ordinances. In addition, the Chief of Police is responsible for direction and/or management of all Police Department personnel, equipment, and resources.
2. Supervisors are accountable for the activities of employees under their immediate control. *(11.3.2)*
3. Each level of responsibility will be accompanied by commensurate authority. Commensurate authority is the authority given to individuals in a particular position or assignment enabling them to make decisions necessary for the effective execution of their responsibilities. *(11.3.1a)*
4. Employees shall be accountable for the use of delegated authority, as well as the failure to use delegated authority. *(11.3.1b)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 02-06.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> City Employees	<b>CALEA</b>
<b>SUBJECT</b> Incidents Involving City Employees		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The Purpose of this directive is to establish policy concerning the reporting of incidents involving City employees.

**II. DEFINITIONS**

City employee – An employee of the City of Bryan.

**III. POLICY**

When a City employee comes to the attention of a member of the Department, under conditions that reflect negatively upon the employee or under circumstances which might adversely affect the employee’s employment with the City, the member shall be obligated to report the incident to his/her Bureau Commander through the chain of command. If the Bureau Commander is unavailable or on an extended leave, the member will report the incident to the Bureau Commander on duty. This policy shall not apply to situations in which the City employee reports or witnesses a crime or other incident, unless the employee is injured or his/her employment with the City would be adversely affected otherwise.

**IV. PROCEDURES**

**A. Citations**

1. Anytime a citation is issued to a City employee, the officer issuing the citation shall forward a copy of the citation to his/her Bureau Commander via the chain of command.

**B. Arrest/Indictment**

1. Anytime a City employee is arrested by an officer of this Department, the arresting officer shall forward a copy of the arrest record and any other pertinent reports to his/her Bureau Commander via the chain of command. Arrests involving the possession or use of narcotics are to be reported to the on-call Bureau Commander as soon as possible.

2. If a member of the Department becomes aware of the arrest or indictment of a City employee by another law enforcement agency or a grand jury, the member shall report that information to his/her Bureau Commander via the chain of command.

**C. Other Incidents**

1. Any incident involving a City employee that may reflect negatively on the employee or adversely affect his/her employment with the City shall be reported as per section IV B 1.
2. Examples of incidents that shall be reported, pursuant to this policy, include but are not limited to:
  - a. Traffic accidents involving City employees (while on duty, even if no City vehicle was involved).
  - b. Domestic disturbances involving a city employee.
  - c. Assaults or other crimes in which a city employee is involved.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> February 25, 2005	<b>NUMBER</b> 02.07.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Budgeting Fiscal Management	<b>CALEA</b> <a href="#">17.1.1</a> <a href="#">17.2.1</a> <a href="#">17.2.2</a> <a href="#">17.4.1</a>
<b>SUBJECT</b> Fiscal Management		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy concerning Departmental fiscal management and the administration of the Department’s budgetary process.

**II. DEFINITIONS**

**Fiscal Year** – Period from October 1<sup>st</sup> of one year to September 30<sup>th</sup> of the next year.

**III. POLICY**

It is the policy of the Bryan Police Department to manage its fiscal resources in accordance with the procedures established by the City's Management Office. In accordance with Article VI, Section I, of the Charter of the City of Bryan, the City Manager has delegated the authority for overseeing the City's fiscal resources to the Accounting and Finance Department Director. The City Manager has further delegated the authority, responsibility and accountability for management of the individual department funds to the respective department managers. The Chief of Police, as a City of Bryan department manager, is designated by the City Manager as having the authority and responsibility for management of the fiscal resources of the Police Department. *(17.1.1)*

Fiscal accountability includes monitoring expenditures to prevent over-expending the agency's allocated budget, reviewing purchases to ensure they are encumbered and paid from the appropriate line item categories and allowing for the processing of appropriate transfer of funds to cover emergency or other unforeseen expenses. Fiscal resources include monies appropriated in the agency budget, awarded by grants, bond fund monies and state and federal forfeiture funds. The Accounting and Finance Department maintains all original records and is subject to financial audit in accordance with City, State and Federal laws, rules, and regulations. The Bryan Police Department's copies of these fiscal records are intended for use in internal management of its fiscal resources and not to supersede the official financial records maintained by the City’s Accounting and Finance Department.

**IV. REGULATIONS**

- A.** The Bryan Police Department prepares its annual budget requests in a line item format in accordance with the guidelines that are provided by the City of Bryan Finance and Accounting Department. Each Bureau prepares its individual budget request in accordance with the goals and objectives that have been established at the Bureau and Division level.

Bureau requests are reviewed by the Assistant Chiefs and forwarded to the Chief of Police for approval and sent to the Budget Unit of the Accounting and Finance Department for evaluation by the City Manager. Once approved at the City Manager level, the Accounting and Finance Department incorporates the Departmental budgets into a City budget, which is submitted to the City Council for review and approval. *(17.2.1) (17.2.2)*

- B.** The Department's fiscal year budget allocation is maintained in a computer based program controlled by the Accounting and Finance Department. The City's departmental budgets are loaded into the computer system, in approved line item accounts format, by the Accounting and Finance Department. Revenues and expenditures are processed through the Accounting and Finance Department by the Bureaus and recorded into the City's computerized accounting system. *(17.2.1)*
- C.** Budget adjustments must be made in accordance with the guidelines, forms, and approvals established by the City of Bryan Accounting and Finance Department. *(17.2.1)*

## **V. PROCEDURES**

- A.** The City of Bryan Accounting and Finance Department is responsible for developing the forms and format, time frames for submission, and computerized programs for management and tracking of the Departmental budgets which comprise the City's budget.
  - 1.** Monthly status reports of each budget unit (Department) are available via computer from the Accounting and Finance Department indicating:
    - a.** The initial appropriation for each line item account/program. *(17.4.1a)*
    - b.** Transactions that have occurred during the monthly reporting period.
    - c.** Balances at the commencement of the monthly period. *(17.4.1b)*
    - d.** Expenditures and encumbrances made during the period. *(17.4.1c)*
    - e.** Unencumbered balance. *(17.4.1d)*
  - 2.** The Finance Clerk and the Support Services Division Secretary have access to monthly status reports and disseminate the information to the appropriate individuals for their information and review.
- B.** Audit of Fiscal Activities:
  - 1.** Independent audits of the City's official fiscal records are conducted annually in accordance with the standards set forth for financial audits under applicable provisions of the General Accounting Office's Government Auditing Standards, the Federal Single Audit Act and the Office of Management and Budget Circular (Audit of State and Local Government), as well as any applicable requirements set forth by the State of Texas or Local Charter. *(17.4.3)*
  - 2.** Annual audits of cash funds or accounts within the Bryan Police Department will be conducted by personnel from the Finance and Accounting Department as designated by the City's Chief Financial Officer. *(17.4.3)*
- C.** Revenues Collected
  - 1.** The Bryan Police Department's Records Management Section has been authorized by City Ordinance to collect specified revenues for services provided to the public, such as:
    - a.** Duplication of Police Department records.

- (1) Releasable Offense, Incident, and Accident Reports.
  - (2) Department files that are subpoenaed by attorneys.
  - b. Fingerprinting / Photographs.
  - c. Letters of Good Conduct.
  - d. Service of Court Orders.
2. A receipt for money collected for these services shall be given to the individual who pays for the service. A copy of the receipt shall be maintained in the Records Unit of the Police Department. The money shall be forwarded to the City's Accounting and Finance Department at least once per week, if fees were collected during that week.
  3. All service fees shall be properly secured and accessed only by full-time records clerks or their supervisor.
  4. An audit of all monies received shall be submitted to the Operations Support Bureau Commander on a quarterly basis by the Records Section Supervisor.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> February 25, 2005	<b>NUMBER</b> 02-08.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Emergency Purchases Petty Cash Purchasing	<b>CALEA</b> <a href="#">17.3.1</a> <a href="#">17.4.2</a> <a href="#">17.4.3</a>
<b>SUBJECT</b> Purchasing Administration		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy concerning the use of cash funds and other means of requisition and purchasing of equipment and supplies.

**II. POLICY**

All Departmental purchases of equipment and supplies shall be conducted in the manner prescribed by this policy and in accordance with the City of Bryan Purchasing Policies and Procedures Manual. Only those members of the Department who have been given specific authorization to requisition and purchase equipment and supplies shall do so.

**III. PROCEDURE**

- A.** Equipment and supplies for the Department may be obtained by authorized personnel via purchase order, blanket purchase orders, procurement card, purchase request order form, and petty cash.
- B.** Purchase Orders are used to acquire goods and services through the City of Bryan Purchasing Department. All purchase orders will be processed through the Purchasing Division via the Bryan Police Department Finance Clerk, or his/her designee.
- C.** All internal and external inquiries concerning status of purchase orders should be directed to the Bryan Police Department Finance Clerk, or his/her designee.
- D.** The use of Blanket Purchase Orders will follow the procedures and guidelines as established by the City of Bryan Purchasing and Procurement Code.
- E.** All procedures regarding the specifications for items requiring standardized purchases, bidding procedures, and criteria for the selection of vendors and bidders are governed by the City's Purchasing and Procurement Code. *(17.3.1a, b, c)*
- F.** Emergency purchases shall be made in accordance with the procedures outlined in the City of Bryan Purchasing Manual. Equipment rental shall be handled in the same manner and guided by the same procedures used for emergency purchases. *(17.3.1d)*
- G.** Requests for supplemental or emergency appropriations for equipment and supplies shall be made only by the Chief to the City Manager, through the City Finance Office. The request shall detail what the funds are to be used for, what conditions or situation created the need for the funds, and why the funds were not originally budgeted. *(17.3.1e)*

- H.** Any budget transfer requests arising from a supplemental or emergency appropriation need shall be made to the City Manager through the Chief, to be routed through the City Finance Office. A budget transfer request form shall be completed, detailing the need for the transfer, which account the funds are to be transferred from and which account the funds are to be transferred to.

#### **IV. RULE / REGULATION**

- A.** A Bryan Police Department Purchase Request will be used to request the purchase of equipment and supplies:

- 1.** A Purchase Request form should be completed by the employee requesting the materials and forwarded through their chain of command. The request requires appropriate Division and Bureau Commander approval. The request should contain as much information as known:
  - a.** The vendor's name, street address, telephone number, fax number, if known.
  - b.** A description of the item or service requested.
  - c.** Quantity being requested.
  - d.** Cost of the item or service requested, including applicable freight charge.
  - e.** Project code to which the item is being charged.
  - f.** Justification for the request (required).
- 2.** All Purchase Requests for amounts over \$10,000 must also be signed by the Chief of Police, or his/her designee, prior to processing.
- 3.** The signed Purchase Request is forwarded to the Bryan Police Department Finance Clerk for input into the system.

- B.** Procurement Cards:

- 1.** Procurement cards may be issued to employees, as authorized by the Chief of Police, to make daily purchases up to \$3,000, with a designated limit not to exceed \$10,000 per month. The list of authorized credit card holders is maintained by the Purchasing Department.
- 2.** Procurement card statements are to be paid in a timely manner to prevent the incurrence of penalty and/or interest charges. All procurement card statements for the previous week's posted transactions must be printed, attached to the corresponding receipts, and forwarded to the City Finance Department no later than Friday of each week.
- 3.** Procurement cards used for the purchase of commodities shall follow guidelines specified in the City of Bryan Procurement Card Policy.

- C.** Petty Cash

- 1.** Petty cash is issued to reimburse employees, or pay for purchases of business related expenses, up to \$25.00.
- 2.** Purchases must have prior approval of the employee's appropriate Division and Bureau Commander.
- 3.** Petty cash reimbursements are processed and distributed through the Bryan Police Department Finance Clerk. Petty cash expenditures are tracked through the Police

Department's budget system to account for monies expended from budgeted funds. *(17.4.2e)*

4. To obtain a petty cash reimbursement, employees must complete the City of Bryan Petty Cash Voucher, indicating the date, amount, reason for reimbursement and the account and project code to which the reimbursement is to be charged. The employee must obtain the signature of the person with budgetary signature authority prior to processing the voucher. *(17.4.2d) (17.4.2c)*
5. An original receipt for purchase must be attached to the petty cash voucher request. The Finance Clerk will issue cash payment for the indicated amount. A copy of the petty cash voucher and invoice is retained by the Police Department to record the expense into the budget tracking system and to keep on file. *(17.4.2d)*
6. The Finance Clerk maintains a balance sheet accounting system for petty cash to identify the initial balance, credits/debits, and balance on hand. Receipts or appropriate documentation will be maintained to verify cash expended. *(17.4.2a, b)*
7. The Finance Clerk will submit a quarterly accounting of the petty cash activities to the City of Bryan Finance Department. *(17.4.2f)*
8. An annual audit of the petty cash fund will be conducted by City Finance Department personnel as designated by the City's Chief Financial Officer. *(17.4.3)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 6, 2006	<b>NUMBER</b> 02-09.1
<b>CATEGORY</b> Organization, Management, & Administration	<b>INDEXED AS</b> Crime Analysis	<b>CALEA</b> 15.1.1 15.1.2
<b>SUBJECT</b> Crime Analysis Function and Procedures		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of the Crime Analysis Unit is to collect, review and analyze crime reporting information to determine patterns and trends of criminal activity. This includes compiling traffic and pedestrian stop data for the purpose of generating reports for racial profiling purposes.

**II. DEFINITIONS**

**Pattern:** Commonalities in characteristics of several crimes or similarities among offenses which indicate that the crimes are related and/or occurrences of similar offenses in a defined geographical area.

**Series:** A crime pattern where there is reason to believe the same person/s committed the crime.

**Trend:** A general increase in a particular type of crime activity, such as an increase in the number of forced door entry residential burglaries or a significant increase in the theft of a particular make and model vehicle.

**III. POLICY**

It is the policy of the Bryan Police Department to have a crime analysis function which is responsible for collecting, analyzing, and disseminating available crime data and criminal intelligence information to the administrative and operational components of the Department in a current and useful format.

**IV. REGULATION**

- A.** The Crime Analysis Unit is a component of the Criminal Investigations Division. The basic functions of the unit include collection of crime data, analysis of crime data, dissemination of analyzed crime data, and evaluation of crime analysis products.
- B.** The Records Unit is a component of the Auxiliary Services Division. The basic functions of the unit include collection, storage, and management of offense reports, incident reports, accident reports, arrest records, and citations. These records form the database from which the Department draws its crime data elements.

## V. PROCEDURES

### A. Crime Data Collection

1. The Automated Records System (ARS) is the primary source to be used in the collection of crime analysis elements. Internal source documents from which crime analysis data elements may be extracted include: offenses reports, incident reports, supplemental reports, arrest reports, citations, field interview cards, traffic accident reports, teletypes, property impounds, gang intelligence files. External source documents include but are not limited to parole records, probation records, sex offender registration records, and other law enforcement agency records and reports. *(15.1.1a)*
2. The ARS contains information taken from offense reports, incident reports, supplemental reports, field interview cards, citations, and arrest records. Some information that will be extracted from the fields in ARS includes the following:
  - a. Offense Information
    - (1) Continual occurrence of certain types of crimes. *(15.1.2a)*
    - (2) Physical location, reporting district, beat, and zone. *(15.1.2b)*
    - (3) Time of the day/evening when the crimes are occurring. *(15.1.2c)*
    - (4) Victim, witness and investigative lead information. *(15.1.2d)*
    - (5) Location/property targeted.
  - b. Suspect Information
    - (1) Physical description of suspect vehicles. *(15.1.2f)*
    - (2) Physical description of suspects. *(15.1.2e)*
    - (3) Modus Operandi (MO) information. *(15.1.2g)*
  - c. Property/Evidence Information *(15.1.2h)*
    - (1) Type of property or evidence found, stolen, or recovered.
    - (2) Information on impounded/seized property.
3. Specific requests for information may be made to the crime analyst by submitting a request for information through the requestor's chain of command to a Division Commander. Division Commanders who approve a request will submit it directly to the Crime Analyst.

### B. Crime Data Analysis

1. The offense information, suspect information, and property/evidence information will be used to assist in the identification of similarities among various offenses and to determine current crime patterns, trends and series. They may be used to assist in screening a list of possible suspects and identify specific crimes that might involve suspects already in custody. *(15.1.1b)*
2. The specific temporal and geographic patterns of occurrences of crimes shall be documented, published in a format which depicts the patterns (such as the weekly burglary map), and distributed to all organizational components. *(15.1.1c)*
3. The Crime Analyst will create and maintain automated files, databases, and spreadsheets.



### **C. Dissemination of Criminal Intelligence Information**

- 1.** The Crime Analyst shall brief the Chief of Police and the Command Staff on general crime analysis information, crime patterns, trends, or series, on a monthly basis. *(15.1.1f)*
- 2.** The Crime Analyst shall distribute crime analysis information to all Sergeants, Lieutenants, and Assistant Chiefs in the form of a weekly crime bulletin. This information is required for directed patrols, crime trends and pattern awareness, potential or actual police threats to officers or community policing efforts. The factors used to compile weekly crime bulletins include: *(15.1.1d) (15.1.2.i)*
  - a.** Frequency by type of crime
  - b.** Geographic factors
  - c.** Temporal factors
  - d.** Victim and target descriptions
  - e.** Suspect descriptions
  - f.** Suspect vehicle descriptions
  - g.** Modus operandi factors
  - h.** Physical evidence information
- 3.** Crime analysis information will be distributed to organizational components, whenever a trend is identified, in the form of crime bulletins, media releases, geographical information system maps, etc. *(15.1.1d)*
- 4.** Special reports may be compiled and distributed to organizational components based on requests from authorized persons within the department. *(15.1.1d)*
- 5.** Crime analysis information may be distributed to organizational components to aid in the strategic planning process, resource allocation or deployment of personnel and the use of statistical information for legislative, grant or research purposes. *(15.1..d)*
- 6.** Request for information from non-law enforcement agencies may be released at the discretion of an Assistant Chief or the Chief of Police. This information includes but is not limited to information that could aid another jurisdiction in the identification of crime trends/patterns occurring in their jurisdiction and/or the identification of suspects. *(15.1.1d)*

### **D. Crime Analysis Evaluation**

Feedback will be continually tracked and analyzed. The feedback will be obtained following each request made to the Crime Analyst for the purpose of enhancing the quality and accuracy of disseminated information. *(15.1.1e)*

### **E. Computer Aided Dispatch (CAD) Premise File Information**

- 1.** Any employee may submit information on potential police threats to their immediate supervisor. If the supervisor determines that the information is valid, they will direct an electronic mail message to the 911 Communications Center Manager who will enter the information into the premise file in the Computer Aided Dispatch (CAD) system.

2. Information related to identified threats will be disseminated to employees responding to addresses which have premise file information.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 03-01.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Supervision	<b>CALEA</b> <a href="#">35.1.1c</a>
<b>SUBJECT</b> Supervisor Responsibilities		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the responsibilities of personnel in a supervisory capacity.

**II. DEFINITIONS**

**Supervisor** – Any member, sworn or non-sworn, whose position within the Department requires supervision of other personnel.

**III. POLICY**

Supervision is the foundation upon which a successful law enforcement agency is built. The quality of supervision is directly proportional to the effectiveness and efficiency of the police organization. To be effective, supervision must be continuous and constructive.

**IV. PROCEDURES**

**A. Chain of Responsibility**

1. Supervisors shall assume responsibility for the supervision of all members subordinated to him/her in the chain of command. Supervisors shall be aware of the progress of subordinates and assist them by counsel, direction, and example; suggesting solutions to problems that arise.

**B. Completion of Duties**

1. Supervisors shall take all reasonable steps to determine that subordinates perform their duties completely, accurately, promptly, and in compliance with Department policy and procedure. Supervisors shall accept responsibility for achieving goals and objectives.

**C. Organizational Control**

1. Supervisors shall, by act, manner, and attitude, promote understanding of all policies and procedures essential to effective organizational control. The fact that a supervisor may not agree with a decision, order, or policy made by higher command does not relieve the supervisor of the responsibility to implement any lawful directive. Criticism of other supervisory and command level officers by a supervisor to subordinates constitutes misconduct by the supervisor.

**D. Delegation of Authority**

1. Supervisors shall delegate authority so that maximum efficiency may be achieved. While supervisors are expected to delegate authority as appropriate, they may not delegate responsibility. A supervisor remains responsible for the end result of any task delegated.

**E. Orders and Instructions**

1. Supervisors shall use tact in giving orders and in correcting deficiencies in order to inspire confidence and industriousness. Supervisors shall structure instructions so that subordinates know what, how, and when a specific task is to be accomplished.

**F. Performance Evaluations**

1. Supervisors shall be fair and impersonal in evaluating the work of subordinates.(35.1.1c)

**G. Morale Maintenance**

1. Supervisors shall be responsible for the development and maintenance of employee morale and attitudes.

**H. Career Counseling**

1. Supervisors should be alert to behavior of subordinates which indicate dissatisfaction with the job. Where possible, the supervisor shall, by means of a confidential discussion with the employee, attempt to determine the cause and extent of the employee's dissatisfaction and counsel the employee as to the best course of action to alleviate the problem. Supervisors shall be familiar with the career goals and aspirations of subordinates and will assist them to obtain the training and experience necessary to fulfill those goals as possible.

**I. Misconduct by Subordinates**

1. Supervisors shall be responsible for investigating reports of laxity in the performance of duty or violations of Department rules by subordinates. After determining the facts, the supervisor shall report findings in writing to his/her own immediate supervisor.

**J. Employee Illness**

1. Supervisors shall make reasonable efforts to determine the authenticity of sickness or injury reported by or in behalf of subordinates.

**K. Inspections**

1. Supervisors shall conduct formal and informal inspections of personnel, equipment, and vehicles on a regular basis in accordance with written procedures.

**L. Setting the Example**

1. Supervisors shall lead by example. A supervisor's conduct, attitude, and work habits set the tone for employees to emulate. Supervisors should be model employees in their appearance and conduct.

**M. Personal Proficiency**

1. Supervisors shall develop and maintain a reasonable level of technical proficiency applicable to the personnel supervised. Supervisory personnel shall also attend

supervision and management training courses to stay abreast of the latest trends and issues in personnel management.

**N. Decision Making**

1. Supervisors have expanded decision-making authority. Supervisors are expected to make decisions. A supervisor's decisions should be based on an analysis of the facts, consideration of alternatives, and a determination of the best course of action followed by implementation of the decision.

**O. Responsibility/Accountability**

1. Supervisors are responsible and accountable for their own decisions and actions as well as the decisions and actions of the personnel they supervise. Consequently, supervisors shall actively supervise, checking on all subordinates and their activities periodically.

**P. Attitude**

1. To maintain a healthy, productive atmosphere in the workplace, a supervisor is expected to display a positive attitude toward subordinates, superiors, and the organization.

**Q. Expectations**

1. Supervisors shall establish a reasonable level of work performance for subordinates in both quantity and quality of work and shall maintain those standards at all times. Work standards and expectations must be clearly communicated to subordinates by supervisors.

**R. Professional Conduct**

1. Supervisors shall conduct themselves in a professional manner. Horseplay, obscene or vulgar language, rumor mongering, sexism, racism, sarcasm, and favorites are examples of unprofessional and inappropriate conduct by a supervisor.

**S. Maintaining Discipline**

1. Supervisors are responsible for maintaining discipline of subordinates. Disciplinary matters shall be conducted in a fair, consistent manner in the privacy of the supervisor's office or other suitable location. Disciplinary matters will be properly documented in all cases.

**T. Praise and Recognition**

1. Supervisors shall give appropriate praise and recognition for the efforts and achievements of subordinates, making use of the Department's service award program when applicable.

**U. Information Sharing**

1. Supervisors shall keep their subordinates informed about Departmental issues. Supervisors are responsible for correcting false and misleading information about Departmental matters.

**V. Safety**

1. Supervisors shall ensure the safety of subordinates by inspecting and maintaining safety equipment and requiring subordinates to properly use safety equipment and procedures. Supervisors shall take appropriate corrective action when safety-related matters come to

their attention. Supervisors will promote safety in the workplace by proactively supporting safety incentive programs offered by the Department or the City.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 7, 2005	<b>NUMBER</b> 03-02.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Early Warning System	<b>CALEA</b> 35.1.15 35.1.15a 35.1.15b 35.1.15c 35.1.15d 35.1.15e 35.1.15f
<b>SUBJECT</b> Early Warning Systems		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish guidelines applicable to the use of an early Warning System (EWS) and the non-disciplinary referral of employees who have been identified by the EWS.

**II. DEFINITIONS**

**Early Warning System** – Non-disciplinary, pro-active referral of employees for counseling, re-training, or reassignment when the number of entries in a Department database used to track pre-determined behaviors, such as disciplinary actions, uses of force, and complaints, exceed the norm; Designed to identify attitudinal and procedural problems practiced by employees and to foster positive corrective action before problems become critical issues.

**III. POLICY**

The Bryan Police Department values its employees, however it also recognizes that Department employees are subject to stresses that may impact work performance and expected conduct.

Issues that affect an employee’s ability to perform at an acceptable level or that impact the Department’s ability to serve and protect must be recognized and addressed by the Department.

The Department should not be faced with investigating an employee for serious misconduct only to find there had been an escalating pattern of less serious misconduct, which could have been eliminated through intervention.

**IV. PROCEDURES**

- A.** The database containing the EWS will be maintained and updated by the Professional Standards Division (PSD).
- B.** Information pertaining to the following activities will be entered into the database and made available for supervisory review and evaluation:
  - 1.** Vehicle Pursuits
  - 2.** Uses of Force
  - 3.** Complaints
    - a.** Formal
    - b.** Informal

4. Disciplinary actions

**V. RECORDS AND REPORTS**

- A. PSD personnel will provide a report to Bureau Commanders that list the number of activities by individual employee every six months.
- B. PSD personnel will notify the involved officer's Bureau Commander if an immediate need for intervention is detected at any time as demonstrated by either a pattern of behavior or a sudden change in behavior.

**VI. SUPERVISORS**

- A. Supervisors shall be mindful of other signs indicative of employee problem behavior, such as:
  - 1. Change in or poor performance
  - 2. Hostility and anger
  - 3. Unnecessary risk-taking
  - 4. Increase in the use of force and/or insubordinate conduct
  - 5. Pessimistic or negative attitude.
- B. When made aware of a number of an officer's activities exceeding norms or established parameters, the officer's supervisor shall review the circumstances of the events and report via the chain of command to the Bureau Commander their recommendations and/or plan of action.
- C. Supervisors may utilize a variety of means/methods to address employees identified by the EWS, including but not limited to:
  - 1. Training
  - 2. Change in assignment
  - 3. Referral to E.A.P. (Employee Assistance Program offered by the City of Bryan)
  - 4. Counseling
  - 5. Mentoring
  - 6. Monitoring activities
  - 7. Peer Counseling (Critical Incident Counseling)
  - 8. No action
- D. Supervisors will conduct a written evaluation of a referred employee through their chain of command to their Bureau Commander 6 months after the employee has been referred through the EWS. This evaluation will document performance improvements and/or recommendations for additional or continued intervention.

**VII. DIVISION COMMANDERS**

- A. Division Commanders will evaluate the effectiveness of the System by comparing the frequency/number of reportable incidents per referred employee with the frequency/number from the previous year.
- B. Division Commanders shall review and approve supervisors' recommended courses of action for employees referred by the EWS.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 15, 2004	<b>NUMBER</b> 03-03.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Counseling Demotion Discipline Disciplinary Action Report Disciplinary System Reprimand Suspension	<b>CALEA</b> <a href="#">26.1.4</a> <a href="#">26.1.5</a> <a href="#">26.1.6</a> <a href="#">26.1.7</a> <a href="#">26.1.8</a>
<b>SUBJECT</b> Disciplinary System		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

### I. PURPOSE

The purpose of this directive is to establish a system of discipline for Departmental employees.

### II. DEFINITIONS

**Demotion** – Reduction in rank which is maintained in the employee’s personnel file.

**Disciplinary Action Report (DAR)** – Departmental form used to document action taken for oral reprimands, formal counseling, and written reprimands. The DAR is forwarded for review through the appropriate chain of command and maintained in the employee’s departmental file.

**Indefinite suspension** – Termination of employment which is maintained in the employee’s personnel file.

**Oral reprimand** – An informal verbal admonishment of an employee by a supervisor concerning an infraction or violation of a policy, procedure, or regulation. The oral reprimand shall be documented on a DAR.

**Supervisor** – Any member of the Department, sworn or non-sworn, who has supervisory responsibilities over other personnel.

**Temporary Suspension** – Removal from duty for a period of time not to exceed fifteen days; usually given without pay or benefits, which is maintained in the employee’s personnel file.

**Written reprimand** – A formal, written censure of an employee that is maintained in the employee’s departmental file.

### III. POLICY

It is the policy of the Bryan Police Department to administer disciplinary actions in a fair, equitable, and consistent manner. The purpose of a disciplinary system is to improve employee performance and correct behavioral deficiencies. Punishment, while necessary in some cases, is not the primary purpose of discipline. Disciplinary action may be invoked when a member of the Department is found to be in violation of a law, policy, procedure, rule, regulation, or other generally accepted standard of conduct or performance. The Department shall conform to City policies, Bryan Police Department General Orders, state law, and Civil Service Rules and Regulations, as applicable, in administering disciplinary actions. Disciplinary actions shall be based on the totality of the circumstances and consideration may be given to the nature of the violation, the member’s training and experience, and other relevant factors. Disciplinary actions

administered by the Department are limited to the following (may not always be administered in the order listed): Counseling, Remedial Training, Oral Reprimand, Written reprimand, Suspension, Demotion, Indefinite suspension. *(26.1.4)*

#### **IV. PROCEDURES**

**A.** Discipline within the Bryan Police Department will maintain consistency with City of Bryan Personnel and Administrative Policies, Bryan Police Department General Orders, Local Government Code (Chapter 143 Municipal Civil Service), Civil Service Rules and Regulations, and state law(s), as applicable, as they relate to the types of discipline, which may be administered. The following describes the types of disciplinary actions, which an employee may receive:

- 1.** Counseling: Meeting with an employee to identify concerns, outline a plan of action to correct identified problems and specify time lines for improvement/correction of deficiency, as applicable. *(26.1.4b)*
  - a.** Informal Counseling – The least severe of all disciplinary actions that should be used by supervisors to improve minor work deficiencies. No documentation is required.
  - b.** Formal Counseling – Used in cases that involve more than minor work deficiencies and/or when informal counseling has failed to achieve desired results, though it is not necessary to try informal counseling before utilizing formal counseling. Formal counseling shall be documented on a DAR with a corrective performance plan developed by the supervisor and presented to the employee. The supervisor shall document the purpose of the performance plan, set a time line for the plan and conduct follow-up to document the effect/outcome of the plan.
- 2.** Remedial Training: Instruction in an area of concern to ensure an employee becomes proficient or gains the knowledge necessary to overcome an identified problem area. This shall be documented on a DAR. Training provided shall be documented in the employee's departmental training file. *(26.1.4a)*
- 3.** Oral Reprimand: An informal verbal admonishment of an employee by a supervisor concerning an infraction or violation of a policy, procedure, or regulation. The oral reprimand shall be documented on the DAR. *(26.1.4c)*
- 4.** Written Reprimand: A formal written disciplinary report on an employee by a supervisor concerning an infraction or violation of a policy, procedure, or regulation. The written reprimand shall be documented on the DAR. *(26.1.4c)*
- 5.** Temporary Suspension: A formal disciplinary action concerning an infraction or violation of a policy, procedure, or regulation which temporarily suspends an employee from duty without pay. Suspensions without pay shall be administered in accordance with Chapter 143, Texas Local Government Code. This shall be documented in the employee's personnel file. Off-duty work of any kind is prohibited within the twelve (12) hours prior to the effective start date/time, during, and within the twelve (12) hours after the effective ending date/time of a temporary suspension. *(26.1.4c)*
- 6.** Demotion: A formal disciplinary action concerning an infraction, violation of a policy, procedure, or regulation, or other just cause which reduces an employee in rank. Demotions shall be administered in accordance with Chapter 143, Texas Local

Government Code. This shall be documented in the employee's personnel file. The employee's pay rate is to be reduced as well to the appropriate level in the rank the employee is demoted to. *(26.1.4c)*

7. Indefinite Suspension: A formal disciplinary action concerning an infraction or violation of a policy, procedure, or regulation which permanently separates an employee from the City work force. This shall be documented in the employee's personnel file. *(26.1.4c)(26.1.7)*
  - a. Indefinite suspension shall be administered in accordance with Chapter 143, Local Government Code.
  - b. The involved officer shall be provided a statement citing the reason(s) for the indefinite suspension. *(26.1.7a)*
  - c. The involved officer shall be informed of the effective date of the indefinite suspension. *(26.1.7b)*
  - d. The involved officer shall be provided with appropriate contact information in order to obtain the status of fringe and retirement benefits after dismissal. *(26.1.7c)*

**B. Authority to Discipline *(26.1.5)***

1. Oral reprimands, counseling, and use of remedial training will be administered by an employee's first line supervisor.
2. Written reprimands will be administered by an employee's Division or Bureau Commander after review by the chain of command.
3. Temporary suspensions, demotions and indefinite suspensions will be administered by the Chief of Police, who may confer with the chain of command.
4. Any supervisor may immediately suspend with pay the duty status of an employee if there is reasonable suspicion that the employee is impaired by drugs and/or alcohol or otherwise unfit for duty. The employee shall be transported to and from a medical facility approved by the City for medical evaluation and/or testing for drugs/alcohol. Procedures will be followed as outlined in the City of Bryan Personnel and Administrative Policies. Such a suspension is for the duration of that work period until the results of the evaluation and/or tests are received and evaluated, unless otherwise authorized by the Chief of Police. The supervisor shall prepare a detailed memorandum of the incident, documenting the reasons for the action taken. The report shall be forwarded to the Bureau Commander. A copy shall be provided to the City of Bryan Human Resources Department.

**C. Non-Sworn Employees**

1. Discipline of non-sworn members of the Department shall conform to policy and procedures contained in the City of Bryan Personnel and Administrative Policies Manual.

**D. Sworn Employees**

1. Disciplinary action concerning sworn members shall conform to Local Government Code, Chapter 143 (Municipal Civil Service) and rules promulgated by the City of Bryan Civil Service Commission.

2. Disciplinary action concerning probationary officers shall conform to policy and procedures contained in the City of Bryan Personnel and Administrative Policies Manual.

**E. Records of Disciplinary Action (26.1.8)**

1. Disciplinary action concerning non-sworn members shall be documented on the appropriate form and maintained in personnel files according to the City of Bryan Personnel and Administrative Policies Manual.
2. Disciplinary action concerning sworn members shall be documented, when appropriate, on the Bryan Police Department Disciplinary Action Report.
3. The affected employee shall have an opportunity to review the contents of the report and will be required to sign the report acknowledging that he/she has done so. The employee shall also have a right to reply in writing to the disciplinary action. The employee's written reply, if any, will be attached to the Disciplinary Action Report.

**F. Appeal Procedures (26.1.6)**

1. Non-sworn members and probationary officers who choose to appeal a disciplinary action shall do so in accordance with established City of Bryan Personnel and Administrative Policies Manual.
2. Sworn members who chose to appeal a disciplinary action that is subject to appeal shall follow the procedures outlined in Chapter 143, Local Government Code.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 13, 2005	<b>NUMBER</b> 03-04.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Commendations Service Awards Awards	<b>CALEA</b> <a href="#">26.1.2</a>
<b>SUBJECT</b> Service Awards Program		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the Department’s Service Awards Program.

**II. POLICY**

It is the policy of the Bryan Police Department to recognize and reward members of the Department, as well as private citizens, who perform extraordinary, exceptionally meritorious, and conspicuously outstanding acts of heroism or service, which are above and beyond those normally expected and which distinguish the individual or group of individuals among those performing similar services. [\(26.1.2\)](#)

**III. PROGRAM GUIDELINES**

**A.** The Service Awards Program consists of ten (10) award classifications as follows:

**1.** Medal of Honor (Posthumous)

- a.** Awarded to the family of an officer killed in the performance of duty as a police officer.
- b.** The award shall consist of a presentation medal.

**2.** Medal of Honor

- a.** Awarded for an outstanding act in the line of duty at imminent risk of personal hazard of life with full knowledge of the risk involved.
- b.** The award shall consist of a:
  - (1)** Presentation Medal
  - (2)** Certificate
  - (3)** Uniform citation ribbon (Gold with two red vertical stripes)



**3.** Medal of Valor

- a.** Awarded for an individual act of heroism in the line of duty, at imminent personal risk of life, in combat with an adversary.

**b.** The award shall consist of a:

- (1) Certificate
- (2) Uniform citation ribbon (Blue with two white vertical stripes)



**4. Purple Heart**

**a.** Awarded to an officer who suffers a serious injury that is intentionally inflicted by an adversary while the officer is in the performance of duty.

**b.** The award shall consist of a:

- (1) Certificate
- (2) Uniform citation ribbon (White with a Purple Heart in center)



**5. Meritorious Conduct**

**a.** Awarded for a highly unusual accomplishment under adverse conditions with some degree of hazard to life and limb of the awardee.

**b.** The award shall consist of a:

- (1) Certificate
- (2) Uniform citation ribbon (Blue & white with red vertical center stripe)



**6. Life Saving Citation**

**a.** Awarded for an act performed in the line of duty which results in the saving of a life.

**b.** The award shall consist of a:

- (1) Certificate
- (2) Uniform citation ribbon (Red & white w/ blue vertical stripe in center)



**7. Police Commendation**

**a.** Awarded to an individual or group of individuals who perform at an exceptional level over an extended period of time or distinguish themselves in a specific cited action.

**b.** The award shall consist of a:

- (1) Certificate
- (2) Uniform citation ribbon (Red with two blue vertical stripes)



**8. Community Service Citation**

- a.** Awarded for a highly creditable accomplishment, bringing public acclaim to the awardee, the Department, or to the police profession as a result of community service.
- b.** The award shall consist of a:
  - (1)** Certificate
  - (2)** Uniform citation ribbon (Blue & white with red feather in center)



**9. Honorable Service Award**

- a.** Awarded as recognition of an employee who leaves the Department under honorable circumstances with at least ten (10) years service with the Department.
- b.** The award shall consist of an appropriately worded plaque.

**10. Civilian Service Citation**

- a.** Awarded to members of the general public who assist the Department in the accomplishment of the Department's mission or who endanger themselves to aid persons who are in danger.
- b.** The award shall consist of certificate.

**B.** Any member of the Department may initiate the awards process by nominating another member of the Department or a civilian to receive a service award.

- 1.** Nominations shall be made by completing a Service Award Nomination form and submitting the form through the chain of command to the Chief of Police. A copy of any relevant report should be attached to the nomination form.
- 2.** Each officer in the chain of command will review the nomination and indicate either approval or disapproval before forwarding the nomination to the next level in the chain of command.
- 3.** An indication of disapproval will be accompanied by a written explanation detailing reasons why the nomination should not be approved. The reviewing officer may recommend an award other than the one nominated if the facts do not support issuance of the nominated award.
- 4.** The Chief of Police shall make the final decision to approve or disapprove an award nomination. Before making that decision, the Chief may order an inquiry into the circumstances surrounding the nomination to determine whether the facts justify issuance of any award.
- 5.** An officer who is nominated for more than one award arising from the same incident may receive as many awards as deemed appropriate by the Chief of Police.



- C. Officers receiving an award which includes a uniform citation ribbon shall wear the citation ribbon on the uniform shirt at all times while in dress uniform. Citation ribbons are optional for duty uniforms. Refer also to G.O. 18-02 (uniform regulations).
1. Citation ribbons shall be worn centered ½ inch above the nameplate on the right breast.
  2. Up to two (2) ribbons may be worn side by side on a ribbon holder.
  3. If more than two ribbons are worn, the additional ribbons shall be worn centered immediately above the first two ribbons, using appropriate back plate.
  4. Ribbons shall be placed in order as listed above in A1 (awards classification) from top to bottom, right to left, on the appropriate back plate, as shown below:



*(Maximum of 6, odd number display will have top ribbon centered over two*

*below)*

5. A maximum of six (6) ribbons may be worn.
6. An officer shall not wear more than one of the same type of ribbon. If an officer receives more than one of the same type of award which includes a citation ribbon, the additional award will be noted by an attachment of an appurtenance to the ribbon.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 03-05.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Travel Authority to Travel Credit Cards	<b>CALEA</b> <a href="#">33.1.3</a>
<b>SUBJECT</b> Travel Expenses		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning travel expenses incurred by members of the Department.

**II. POLICY**

Travel for official business must be authorized according to the procedures contained in this directive and the City of Bryan Personnel Policy Manual. Travel expenses will be paid by the City of Bryan through reimbursement to the employee or through travel advance in certain circumstances.

**III. PROCEDURES**

**A. Authority for Travel**

1. Any employee traveling beyond a seventy-five (75) mile radius of the city on Department business, shall sign an “Authority for Travel” form prior to departure.
2. The “Authority for Travel” form must be signed by the employee (requestor), initialed by his/her immediate supervisor and bureau commander and approved by the Chief of Police.

**B. Expense Reimbursement ([33.1.3](#))**

1. Employees incurring reimbursable expenses while traveling for Departmental Purposes shall submit a receipt for each expense to the appropriate secretary.
2. Reimbursable travel expenses are generally limited to:
  - a. Meals
  - b. Tips
  - c. Transportation fares

3. An "Expense Reimbursement" form will be completed by the secretary receiving the receipts. The completed "Expense Reimbursement" form must be signed by the employee. All receipts must be attached to the form.
4. Generally, the reimbursement for meals shall be limited to a total amount of \$36.00 for each full day that an employee travels on official business. This amount includes 15% for tips. Reimbursement for tips shall not exceed fifteen percent (15%) of the cost of the meal or service. Should an employee be on official business for only a portion of a day the following payment schedule will apply:
  - a. Breakfast - \$8.00
  - b. Lunch - \$10.00
  - c. Dinner - \$18.00
5. Exceptions to these limits may be approved by the Chief of Police when an employee incurs excessive expenses due to circumstances beyond the control of the employee.
6. An employee may request a travel advance to cover the costs of lodging, tuition, etc. To do so, the employee must submit a list of expenses at least two weeks prior to the travel to allow for processing.

#### C. Use of Credit Cards

1. The Department will maintain several sets of credit cards to be used for travel purposes. The administrative coordinator to the Chief of Police is responsible for maintaining these cards and replacing expired cards. One or more sets of credit cards may be issued to various components within the Department. Each set of credit cards shall be under the control of a particular individual in the component to which the cards are issued.
2. Employees traveling by Department vehicle should obtain a set of credit cards from the appropriate source. Credit cards will be logged in and out on a Credit Card log.
3. Credit cards will ordinarily be used only for fuel, oil, and maintenance purchases for City or Departmental vehicles.
4. While traveling in City or Department vehicles, employees are authorized to use credit cards to pay for minor emergency repairs to vehicles. All such emergency purchases must be reported in writing to the Chief of Police via the chain of command upon the employee's return. Before authorizing major repairs, the employee will call a supervisor or fleet services.
5. Employees who have been issued credit cards will use them in accordance with established City of Bryan procedures and policy.
6. Receipts for any purchase made with a City credit card must be submitted to the Finance Clerk upon return.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 14, 2005	<b>NUMBER</b> 03-06.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Informants Cooperating Individuals Investigative Fund	<b>CALEA</b> <a href="#">43.1.3</a>
<b>SUBJECT</b> Investigative Expense Fund		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

## I. PURPOSE

The purpose of this directive is to specify policy and procedures to be followed concerning the maintenance and expenditure of funds from the Police Investigative Fund.

## II. DEFINITIONS

**Police Investigative Fund** – An allotment of money to be used to purchase information, evidence, or contraband necessary during the course of a criminal investigation.

**Cooperating Individual (C.I.)** – An individual who supplies information and/or assists the Department in the course of a criminal investigation.

## III. POLICY

Occasionally, it may become necessary to expend money to acquire stolen property, contraband, evidence, or information relevant to a criminal investigation being conducted by the Department or to locate a wanted person. The Department maintains an Investigative Expense Fund for this purpose. The Investigative Expense Fund is maintained by the commanding officer of a Division as approved by the Chief of Police and shall be administered according to the procedures contained in this directive.

## IV. PROCEDURES

### A. Investigative Expense Fund ([43.1.3](#))

1. The Investigative Expense Fund may be used for the following purchases:
  - a. To purchase information necessary to develop a criminal case.
  - b. To purchase evidence, stolen property, or information regarding stolen property or evidence.
  - c. To purchase contraband or information resulting in seizure of contraband.
  - d. To purchase information leading to the arrest of a fugitive wanted by the Department.
  - e. To pay expenses for travel and subsistence incurred by an officer or a cooperating individual as a result of a criminal investigation being conducted by the Department.
  - f. To pay expenses incurred by another law enforcement agency as a result of a joint criminal investigation with the Department.

2. The commanding officer of a Division maintaining an Investigative Expense Fund shall approve and account for each expenditure from the fund and insure that:
  - a. Expenditures from the fund are documented on Form 51 (Cash Expenditure Report).
    - (1) Each Form 51 will be assigned a receipt number preceded by the Division initials followed by the assigned receipt number, i.e. C.I.D. 001, S.O.D. 001, etc.
  - b. All transactions from the fund will be recorded in a ledger with the following information:
    - (1) Dates of all transactions.
    - (2) Name of the officer issuing and receiving money.
    - (3) Case number.
    - (4) Receipt number from Form 51 (Cash Expenditure Report).
    - (5) Current cash balance of the fund.
3. Investigators of a division may be issued advance money by the commanding officer of that division under the following provisions:
  - a. The commanding officer may advance up to \$50.00 to Division employees to be used for the purposes set forth in subsection 1 above.
  - b. Employees will sign a Form 51 and the appropriate receipt number will be assigned by the commanding officer.
  - c. The employee may, at his/her discretion, disburse money, not to exceed \$50.00, for the items listed in subsection 1 above.
  - d. Following disbursement to a cooperating individual, the employee shall complete Form 50, Form 52, and notify his/her supervisor.
  - e. The location of all money shall be documented at all times.
  - f. Employees are responsible for money issued to them.

**B. Cooperating Individuals (C.I.)**

1. The commanding officer of the Division using cooperating individuals shall maintain a confidential master file containing the following information on each cooperating individual utilized by that division.
  - a. Name
  - b. Alias(s)
  - c. Address and telephone number
  - d. Place of employment
  - e. Signature sample for all names and alias(s) used
  - f. Identifiers (driver's license, social security, etc.)
  - g. Complete physical description
  - h. Fingerprints
  - i. Photograph
  - j. C.I. identification number
    - (1) This number will be preceded by the division activity number followed by the assigned number, i.e., 0602-001, 0602-002, etc. for C.I.D.
  - k. Background information including a complete TCIC/NCIC record, if applicable

2. The master file and available funds for disbursement shall be maintained in a secure location with access limited to the following persons:
  - a. Commanding Officer of the Division using the funds.
  - b. Bureau Commander of Division maintaining fund.
  - c. Chief of Police
3. C.I.'s utilized by the Department on an on-going basis shall be evaluated annually by the commanding officer of the division using the C.I.
4. The following restrictions apply to persons used as a C.I.:
  - a. Individuals under the age of seventeen (17) must have the written consent of a parent or legal guardian.
  - b. Individuals who are defendants in a criminal case above a Class C misdemeanor must be approved by the District Attorney.
  - c. Individuals with two or more felony convictions must be approved by the District Attorney.
  - d. Individuals on probation or parole must have the approval of their probation or parole officer. If written approval cannot be obtained, the commander of the involved Division shall make a record of the officer giving the verbal approval and any restrictions placed on the C.I. This record shall be placed in the master file.
  - e. No cash payments will be made to a C.I. from an officer's personal money.
5. Payments to a cooperating individual out of the Investigative Fund must be documented on a Cooperating Individual Personal History Form (Form 52).
6. The cooperating individual must sign form 50 (Cooperating Individual Receipt) indicating receipt of the payment.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 03, 2005	<b>NUMBER</b> 03-07.1		
		<b>CALEA</b>		
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b>	33.1.1	33.2.5	33.7.1
<b>SUBJECT</b> Training Programs		33.1.2	33.3.1	33.7.2
		33.1.3	33.4.1	33.8.1
		33.1.4	33.4.2	33.8.2
<b>AUTHORIZING SIGNATURE</b> Original with signature on file	33.1.5	33.4.3	1.3.11	
	33.1.6	33.5.1		
	33.1.7	33.5.2		
		33.2.3	33.5.3	
		33.2.4	33.6.1	

**I. PURPOSE**

The purpose of this general order is to establish departmental policies and procedures concerning the training of Department personnel.

**II. DEFINITIONS**

**Field Training Program** – A structured and supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the basic academy to actual performance in on-the-job situations.

**Field Training Officer** – An officer who has been selected and trained to deliver the field training program to recruit officers.

**In-Service Training:** – Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and roll-call training.

**Roll Call Training:** – Training or informational session of short duration usually administered to officers prior to their tour of duty.

**III. POLICY**

It is the policy of this Department that all employees receive such training as mandated by the State and adequate additional instruction in all areas required for the proper performance of their specific job tasks.

**IV. REGULATION**

**A. Organization and Administration**

1. The authority and responsibility for all training for both sworn and civilian personnel shall be vested in the Support Services Division Lieutenant of the Department.
2. Under the management of the Support Services Division Lieutenant and the supervision of the Training Unit Sergeant, the Support Services Division shall:  
*(11.1.1)*

- a. Determine training needs through interaction with the Training Committees and outside sources such as the City, County, and District Attorney offices, TCLEOSE, etc.
- b. Plan, develop, coordinate, and implement in-house training programs that have received prior approval by the Chief of Police, and coordinate all other training programs for Departmental personnel.
- c. Notify supervisors and employees of required or optional training available.
- d. Notify supervisors and employees of TCLEOSE courses for which they have been scheduled to attend.
- e. Ensure that all personnel have attended and satisfactorily completed all mandated training.
- f. Determine job-relatedness of requested training through interaction with appropriate supervisory personnel.
- g. Ensure that all training is directed towards the accomplishment of the Department mission by ensuring that each in-house program presented:
  - (1) Focuses on the elements of the job for which formal training is needed.
  - (2) Provides clear statements of what is to be learned.
  - (3) Provides a basis for evaluating the participants.
  - (4) Provides a basis for evaluating the effectiveness of the training program.
- h. Assist the Chief of Police in the selection of Department training instructors.
- i. Maintain accurate records of all training received by Department members.
- j. Evaluate all training programs through employee and supervisor feedback.
- k. Act as Department liaison with police academy staff. *(33.4.3.d)*

**B. Department Training Committee**

- 1. Department Training Committees (non-sworn and sworn) shall be formed for the purpose of identifying training needs within the Department and assisting in developing programs to meet those needs.
- 2. The Committee shall consist of a number of members as determined by the Chief of Police. Each major operational component within the Department shall be represented on the Committee.*(33.1.1.a)*
- 3. Members of the Committee shall be selected by the Chief of Police to serve a term of two years, coinciding with the fiscal year. If a member is unable to complete their two-year term, a replacement will be selected by the Chief of Police to fill the unexpired portion of that term. *(33.1.1.b)*
- 4. The Training Committees have the responsibility and authority to: *(33.1.1.d)*
  - a. Evaluate all training programs used by the Department, both internal and external as required.
  - b. Identify other training needs within their respective Bureaus for command staff consideration.
- 5. The Training Committees have no authority over the Department's Training function but act in an advisory capacity through the Chief of Police.*(33.1.1.c&d)*
- 6. The Training Committees shall meet at least twice a year at a time set by the Support Services Division Lieutenant who shall serve as chairperson of the Committee. *(33.1.1.e)*



7. Upon the conclusion of each meeting, the Support Services Division Lieutenant shall ensure that minutes of the meeting and the recommendations regarding current and future training needs are prepared and forwarded to the Chief of Police.

## V. PROCEDURE

### A. Program Development

1. The Support Services Division Lieutenant, with the assistance of the Training Unit Sergeant and the Training Committees, shall use available resources and personnel to identify in-service training needs and develop appropriate training programs to satisfy those needs. Such resources may include, but are not limited to:
  - a. A review of Department inspection reports, staff reports and/or meetings.
  - b. A review of citizen and internal complaints and investigative reports.
  - c. Consultation with field officers, field training officers, and supervisors.
  - d. A review of employee training evaluations.
  - e. A review of the Training Committee's minutes of semi-annual meetings.
  - f. Consultation with the City, County, and District Attorney's Offices.
  - g. Consultation with Division Lieutenants and Bureau Assistant Chief.
  - h. Consultation with the Chief of Police.
2. The proposed development of new training programs shall be made to and approved by the Chief of Police, through the chain of command, by the Support Services Division Lieutenant. The proposal shall include those resources used to determine the need for the program, and shall address first the areas mandated by TCLEOSE to maintain peace officer certification.

### B. Lesson Plans

1. Each instructor assigned to present a training class shall prepare a lesson plan for the course of instruction.
2. The lesson plan shall be comprehensive and accurate. The lesson plan shall be required of both internal and visiting instructors unless the lesson has been pre-approved by TCLEOSE.
3. Guidelines and format of the lesson are to include:
  - a. Course: The title of the course or school, i.e., Emergency Vehicle Operations.
  - b. Subject: The title of the block of instruction the lesson covers, i.e., The Mechanics of Driving.
  - c. Instructional Unit: The subdivisions for each block of instruction. The subject "Mechanics of Driving" may have instructional units covering backing, skid control, obstacle course, etc. *(33.1.4.b)*
  - d. Lesson Number: Some courses will consist of more than one lesson. Number the lessons consecutively.
  - e. Method: The type of instructional procedures to be used. Method may include some or all of the following: *(33.1.4.b)*
    - (1) Lecture.
    - (2) Demonstration.
    - (3) Discussion.
    - (4) Role Playing.

- f.** Time: The amount of time needed to present the lesson.
- g.** Audience: To whom the lesson is directed, i.e., civilian employees, police officers, etc.
- h.** Teaching Aids: Teaching aids to be used during the presentation. These may include:
  - (1)** Projector.
  - (2)** Handouts.
  - (3)** Audio or video tapes.
  - (4)** File or slide projector.
  - (5)** Flip charts.
  - (6)** Marker board or chalkboard.
- i.** Reference Materials: List reference materials used in developing the lesson.
- j.** Assignments: List the assignments, if any, that will be given the students.
- k.** Student Materials: List the materials the student will need in order to be prepared for the class, i.e., pencil, paper, calculator, ruler, etc.
- l.** Job Related Objective: What the student should learn upon the completion of the class, i.e., "Upon completion of this course the student should be able to..." *(33.1.4.a)*
- m.** The lesson plan must indicate that the material presented in class will be reviewed prior to testing.
- n.** Type of test, if any, to be given, i.e., essay, multiple choice, practical, etc. The Support Services Division Lieutenant must receive a copy of the test prior to lesson presentation. *(33.1.4.d)*

**C. Approval of Lesson Plans *(33.1.4.c)***

**4. TCLEOSE Approved Classes**

- a.** All instructors shall, no less than 5 days prior to the presentation of a lesson, submit a written description of the learning objectives to the Support Services Division Lieutenant for approval.
- b.** The Support Services Division Lieutenant shall verify that the objectives meet Departmental requirements and shall either approve the lesson for presentation or return it for further information.

**5. Non-TCLEOSE Approved Classes**

- a.** All instructors shall, no less than 10 days prior to the presentation of a lesson, submit a written lesson plan along with a "Lesson Plan Approval Form" to the Support Services Division Lieutenant for approval.
- b.** The Support Services Division Lieutenant shall ensure that the lesson plan is consistent with the lesson plan development guidelines, existing State requirements and Agency policies, and shall either approve the lesson plan or return it for further information.
- c.** Once approved by the Support Services Division Lieutenant, the lesson plan shall be forwarded to the Chief of Police for final approval.

**D. Lesson Presentation**

- 6.** Each class presentation shall include at least the following:

- a. Introduction - This first phase of instruction is used to prepare the student to receive the lesson or instruction that will be presented. The introduction should include at least the following:
  - (1) At the beginning of each course, participants shall be instructed as to the performance objectives of the course, the type of testing that will be used and the requirements for a passing score. *(33.1.4.a & d)*
  - (2) Articulation of the objective(s) of the lesson.
  - (3) Why the lesson is being taught.
  - (4) The benefits derived from learning the material presented.
- b. Presentation - The step by step teaching of the material.
- c. Application/Demonstration - Explanation of the application of the material presented or hands on performance by the student when applicable.
- d. Review - A summary of the material presented with emphasis on major points of instruction.
- e. Test - The determination of the student's comprehension of the lesson content. All written tests are to be approved by a qualified instructor. Tests may be formal written exams or may consist of informal questioning sequences by the instructor. The purpose of any test shall be to ensure student comprehension of the covered material.
- f. Course Critique - A written evaluation of the course content and effectiveness of the instructor as perceived by the student.

#### E. Curriculum Records

- 7. In addition to the employee training file, the Support Services Division Lieutenant shall maintain records on training classes conducted within the Department and attended by Agency employee(s). These records shall contain:
  - a. Lesson plans or course content *(33.1.7.a)*
  - b. Names of Agency attendees *(33.1.7.b)*
  - c. Performance of individual attendees as measured by test, if administered. *(33.1.7.c)*

#### C. Training Records

- 1. Attendance at all training schools or sessions shall be documented and records maintained by the Training Unit Sergeant. The employee's training file shall be updated following the successful completion of each training program. Employees attending courses or schools outside the Department shall be responsible for submitting a certificate of completion or other appropriate documentation to the training function. This documentation shall be provided as soon as practical after completion of the course or school. *(33.1.6)(1.3.11b)*
- 2. The file for in-house training shall contain at least the following information:
  - a. The name and date of the course attended.
  - b. The length of the course in hours.
  - c. The name(s) of instructors.
  - d. Hours of TCLEOSE credit awarded for each class, if applicable.
  - e. The employee's performance as measured by tests, if administered.
    - (1) Participants of all in-service training courses may be tested in their ability to use the knowledge and skills covered in the course.

(2) Competency-based testing, based upon the performance objectives of the course, may be employed.

**3. Release of Training Records**

- a. Training records shall not be released outside the Agency without specific legal authority.
- b. Any outside request, including any legal process demanding the release of training records, shall be forwarded to the Support Services Division Lieutenant who shall in turn forward the request to the City Attorney through the Chief of Police, along with the "Request for Release of Information" form.

**D. Attendance**

- 1. When attendance at a training course is mandatory, the training order shall stipulate that the training is mandatory and shall list the personnel who are required to attend. The Training Unit Sergeant shall coordinate mandatory training so that several classes are offered on different days and for different shift employees. Attendance at one of the mandatory training classes must be scheduled by the employee's immediate supervisor, and shall take into consideration staffing levels, scheduled vacations, and other concerns.
- 2. All employees shall be required to attend mandatory training except under the following conditions: [\(33.1.2\)](#)
  - a. Persons on vacation shall not be required to attend the training class with their team members, however, must be scheduled to attend another session by their immediate supervisor.
  - b. Exceptions to attendance may be granted by the applicable Division Lieutenant, such as illness, court attendance, personal or Departmental business of an emergency nature. Every effort shall be made to schedule the employee in another scheduled session.
  - c. Any other make-up training, if required, shall be scheduled through the chain of command to the Support Services Division Lieutenant.

**3. Training Attire**

- a. Employees will dress in appropriate business attire (see City of Bryan Employee Dress Code Guidelines) for all in-service training. Exceptions may be made for physical training or training in which employees may be outdoors.
- b. When attending Department training on a scheduled work day officers are required to have a complete uniform (and equipment) available in the station in the event training ends early or a situation occurs that requires additional staffing. Officers may wear their uniforms to training if they choose.

**E. Training Requests**

- 1. All requested training classes must be submitted on a training request form and routed through the employee's immediate supervisor to the applicable Division Lieutenant and Bureau Assistant Chief for approval. The Division Lieutenant and Bureau Assistant Chief will forward the form in its entirety to the Support Services Division Training Unit Sergeant. The Support Services Division Training Unit shall register the employee for the class. Once this is completed, the Support Services





responsible for maintaining the training files containing the FTO evaluations.  
(33.4.3.c)

7. All reserve officers are required to successfully complete a structured Field Training Program prior to assignment with the Reserve Unit.
  8. Reserve officers are required to complete a field training phase as defined by the Reserve Police Force Standard Operating Procedure. If the reserve officer fails to complete the FTO Program within the three year period without reasonable justification, or if the reserve officer is failing to progress through the field training program due to performance problems, a recommendation of termination will be made by the Reserve Trainer through the chain of command to Support Services Division Lieutenant.
  9. The field training period may be extended when the performance of the reserve officer demonstrates the need for additional training, as indicated in the FTO evaluations.
- J. Field Training Officer Selection and Training (33.4.3.b)**
1. Selection of Field Training Officers will be in accordance with General Order 13-03 – Assignments, Transfers, and Promotions, and assigned at the discretion of the Chief of Police.
  2. All officers assigned as FTOs will receive FTO orientation training conducted by Training Unit Sergeant. (33.4.3.e)
  3. FTOs’ training effectiveness shall be evaluated by their immediate supervisor and Training Unit Sergeant. (33.4.3.c)
  4. FTOs shall conduct their training and make required reports and recruit evaluations as outlined in the Field Training Officer's manual. (33.4.3.g & h)
  5. Probationary Police Officers shall evaluate each FTO from which they have received training after completion of each phase in the FTO program. This shall be accomplished in writing, as outlined in the FTO Manual, utilizing the appropriate form.
- K. Selection of Instructors for In-Service Training**
1. Instructors for all training courses conducted by the Department shall be selected by the Chief of Police in conjunction with the Training Unit Sergeant. Instructors shall be selected on the basis of:
    - a. Specific knowledge in the area to be taught.
    - b. Knowledge of teaching theories and methods.
    - c. Personal desire and ability to instruct others.
    - d. General knowledge of law enforcement and related fields.
    - e. TCLEOSE Certification.
  2. The tenure of instructors for Departmental training programs shall be dependent upon:
    - a. The training needs of the Department.

- b. The availability of qualified instructors to satisfy training needs.
  - c. TCLEOSE Certification.
3. The Department recognizes and encourages the exchange of qualified training instructors between this Department and other local law enforcement agencies in order to:
    - a. Promote better understanding between agencies.
    - b. Obtain training specialties not available within the Department.
    - c. Provide exposure to various training techniques.
  4. It shall be the responsibility of the Training Unit Sergeant to ensure that visiting instructors are properly qualified to instruct the particular subjects for which they are used.
    - a. Proper TCLEOSE certification or academic qualifications shall be determined when appropriate.
    - b. Course objectives shall be submitted and approved by the Support Services Division Lieutenant prior to training by a visiting instructor, unless a TCLEOSE lesson plan is utilized.
  5. TCLEOSE certified instructors shall be used by the department to instruct in-service and advanced training courses and shall be trained in the areas of lesson plan and performance objective development, techniques of instruction, testing and evaluation, and effective resource utilization. **(33.3.1.a-e)(1.3.11a)**

**L. In-Service Training**

1. The Training Unit Sergeant shall schedule training for all sworn employees. This training shall address those areas mandated by TCLEOSE to maintain peace officer certification and any other areas based upon the needs of the Department. All sworn employees shall receive annual training in the following areas: **(33.5.1) (1.3.11)**
  - a. Firearms Qualification.
  - b. Use of Force Policy Review.
  - c. Law and Legal Updates

**M. Advanced Training**

1. Advanced training for sworn personnel shall be made available within Departmental budget and staffing constraints. Advanced training will be used to improve the capabilities of officers who have shown qualities beneficial to the Department and to provide training necessary to qualify personnel to fill needed positions within the Department.
2. Requests for advanced training should be made through the chain of command utilizing training request forms. The applicable Division Lieutenant and Bureau Assistant Chief shall make the final decision as to which employees are to receive advanced training based on the needs of the Department.
3. While some advanced training is not mandated by Departmental policy, it may be considered as a factor in promotion and job assignment, and is necessary for career development. Examples of advanced training include TCLEOSE classes, such as Advanced Interview and Interrogation, General Instructor Program, etc.



## N. Specialized Training

1. Specialized training shall be required for any employee assigned to positions requiring specialized skills such as; hostage negotiator, police dog handler, traffic officer, DARE officer, and CISM team member.
2. Specialized training provided to personnel assigned to specialized positions shall include the following:
  - a. Enhancement/development of knowledge, skills, and abilities particular to the assignment. *(33.6.1.a)*
  - b. Instruction on applicable personnel policies regarding the function of, as well as training in supervision, management, and administration. *(33.6.1.b)*
  - c. Instruction on the agency procedures, rules, policies, and regulations specifically related to the function.
  - d. Structured/supervised on-the-job training. *(33.6.1.c)*

## O. Roll Call Training

1. Roll call training shall be used to supplement all other training and to keep officers current on applicable issues between training sessions. *(33.5.2)*
2. Supervisors shall be responsible for conducting roll call training sessions. They shall plan dates and times of presentation so that all applicable personnel under their command receive the appropriate information.
  - a. Roll call training will normally be from 10 to 15 minutes in duration and may be conducted as part of the shift briefing.
  - b. Training will normally include but is not limited to:
    - (1) Updates in policies, procedures, and programs.
    - (2) Job related videotapes and films.
    - (3) Legal updates.
    - (4) Training Bulletins.
    - (5) TCLEOSE teleconference classes offered on videocassette.
  - c. Instructional techniques may consist of:
    - (1) Showing videos or films.
    - (2) Lecture or demonstration.
    - (3) Review of written material.
    - (4) Other methods as deemed appropriate by the presenter.
3. Roll call training may be conducted by supervisors, training personnel, other employees with specific expertise in the area to be taught or guest instructors.
  - a. Although not a formal training session, each roll call training session should have a stated learning objective that the student is aware of, at the beginning of the training session.
  - b. Student evaluation, while not mandatory, is permissible. Evaluation may be in the form of a written examination or a questioning sequence designed to ensure the learning objective has been met.
4. Supervisors shall be responsible for scheduling roll call training for their employees based on time and staffing constraints. A record of the training shall be entered in the

Roll Call Training folder located on the “R” drive. These entries should reflect the date, topic, and persons in attendance for inclusion in the employee's training file.

5. Supervisors shall be responsible for obtaining needed materials from the Support Services Division, or may utilize other resources, such as the Support Services Division video library or Department library.
6. The Training Committee, based on input from supervisors, employees and the law enforcement training academy, shall be responsible for identifying proper topics to be addressed during roll call training. The Training Unit Sergeant shall forward suggestions for roll call training needs to supervisors.

**P. Training Bulletins**

1. Training bulletins will be issued by the Training Unit Sergeant as necessary regarding recent court decisions and other applicable issues.
2. These bulletins shall include:
  - a. The source of the material being presented.
  - b. A brief description of the issue.
  - c. An explanation of how the issue applies to the Department, if necessary.
3. Supervisors shall be responsible for distributing training bulletins to those employees affected by the issues reviewed in the bulletin.
4. Employees having material or topics they feel should be covered in a training bulletin should forward the material and/or their ideas to the Training Unit Sergeant.

**Q. Civilian Training**

1. All newly appointed civilian employees shall receive orientation training in which such topics as the Department's role, policies, procedures, rules, regulations, working conditions, employee rights and responsibilities, accreditation, etc., are covered. This training shall be in addition to the new employee orientation conducted by the Human Resources Department. *(33.7.1.a & b & c)*
2. Civilian employees shall receive training to meet the requirements of the various job responsibilities to which they are assigned.
3. Due to the nature of some civilian positions, specialized training or orientation shall be necessary prior to the employee assuming the responsibilities of the position. This training may include, but is not limited to, the areas of community oriented policing, report writing, civil liability, and customer service. These positions include: *(33.7.2)*
  - a. Animal Control Officers.
  - b. Code Enforcement Officers.
  - c. Investigative Assistants.
  - d. Records Clerks.
  - e. Intake Specialists

- R. Skill Development** - All newly promoted supervisors shall receive on-going training to obtain or enhance their knowledge, skills, and abilities. Newly promoted supervisors shall receive commensurate training within the first year following promotion. This shall

be accomplished through in-house classes or advanced classes offered by TCLEOSE, or other approved training agencies. (33.8.2)

**S. Remedial Training (33.1.5) (1.3.IIc)**

- 1.** Participants who fail to pass a required in-service training course shall be given the opportunity to receive remedial training and take another test when the scheduling of the training function permits. Failure to meet minimum requirements may result in corrective action. It shall be the responsibility of the class instructor to advise the Training Unit Sergeant in writing when a Department employee fails to pass a training course. This shall be accomplished as soon as possible so that remedial training can be scheduled. Remedial training shall normally be scheduled within fourteen (14) days following the unsuccessful completion of the training course.
  - a.** If a Department employee fails to qualify with their Department issued firearm, or has an accidental discharge and remedial training cannot be immediately conducted at the range, that employee shall be assigned to administrative duties until such time as they qualify with their firearm. The Training Unit Sergeant shall forward a memorandum to the Support Services Division Lieutenant outlining the necessity for remedial training. Remedial training shall normally be scheduled within fourteen (14) days.
  - b.** For the purposes of this policy, a failure to pass annual firearms qualification training occurs when the employee has tested three consecutive times, within a twenty-four hour period, and has not successfully completed the firearms course.

**T. Accreditation (33.5.3.b & c)**

- 1.** The Accreditation Manager shall familiarize all agency personnel with the accreditation process during the self-assessment phase associated with achieving the initial accreditation and each subsequent reaccreditation.
  - a.** This can be done through monthly newsletters (which should also be sent to the City Manager for his/her distribution), in-service training, or roll-call training
  - b.** Prior to each on-site assessment, the Accreditation Manager shall familiarize all agency personnel with the accreditation process.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 9, 2005	<b>NUMBER</b> 03-08.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Equal Employment Opportunity Plan	<b>CALEA</b> 32.1.5 31.1.1 32.1.6 31.1.2 32.1.7
<b>SUBJECT</b> Recruitment and Selection	Job Announcements Recruiting Recruitment Plan Selection Process	31.2.1 32.2.1 31.2.2 32.2.2 31.3.1 32.2.3 31.3.2 32.2.4 31.3.3 32.2.5 31.3.4 32.2.6 32.1.1 32.2.7 32.1.2 32.2.8 32.1.3 32.2.9 32.1.4 32.2.10
<b>AUTHORIZING SIGNATURE</b>  Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish department policy and procedures governing the organization and function of the Recruiting Unit.

**II. POLICY**

It is the policy of the Bryan Police Department to identify, recruit, select, and assign the highest caliber of personnel in a reasonable manner that is equitable, nondiscriminatory, and consistent with Federal Statutes, State Statutes, City Policy, and Equal Employment Opportunity Laws.

**III. PROCEDURE**

**A.** Responsibility for administering the Department's role in the recruitment process of sworn personnel resides with the Support Services Division Lieutenant. Other Department employees may assist or help coordinate this activity as necessary or as assigned.

1. The Support Services Division Lieutenant shall initiate and maintain an active recruitment program to attract qualified personnel for actual or forecasted vacancies within the Police Department. *(31.1.1)*
2. The Support Services Division Lieutenant and others assigned to the recruiting function shall be familiar with the areas of: *(31.1.2)*
  - a. Agency salaries, benefits, and opportunities.
  - b. Applicable Federal and State statutes.
  - c. Different ethnic and cultural groups within the community.
  - d. Equal Employment Opportunity laws.
  - e. Recruitment programs of neighboring jurisdictions.
  - f. Techniques of record keeping and applicant tracking.
  - g. Other factors that ensure a fair and unbiased recruitment process.

3. The goal of the Bryan Police Department's recruitment effort is to obtain a Department work force that is staffed with the highest caliber personnel and appropriately reflects the ethnic composition of the community to the extent possible under Civil Service hiring guidelines. (31.2.1) To accomplish this goal, the Department will establish an annual recruitment plan. The Support Services Division Lieutenant shall prepare the recruitment plan. The recruitment plan shall:
    - a. Outline, in quantitative terms, a proactive program of goals and objectives to be undertaken by the Department to ensure all applicants and employees are afforded equal opportunity to reach their full employment potential.(31.2.2 a)
    - b. Provide a course of action to be taken in order to achieve recruitment plan objectives. (31.2.2 b)
    - c. Have the goals and objectives of the recruitment plan evaluated annually at the end of each calendar year by the Support Services Division Lieutenant, with any recommendations for revision or update of the plan forwarded through chain of command to the Chief of Police. (31.2.2 c)
  4. The Recruiting Unit shall contact the area's major universities, local community colleges, and other law enforcement agency recruiters regarding recruitment activities. The Department encourages all department employees to assist in the recruitment of qualified persons to apply for positions within the Department. Additionally, sworn members will be selected to participate on a recruitment team designed to visit college campuses and job or career fairs to further promote employment opportunities with the Department.
  5. When recruiting for entry-level law enforcement positions, members of the Recruiting Unit shall recruit on-site at area educational institutions. In addition, recruitment efforts will be conducted locally at appropriate locations and through local service organizations.
- B.** When vacancies occur or new positions are acquired within the Department, or when an eligibility list for hiring needs to be established, the City of Bryan Human Resources Department will prepare and distribute the job announcements, which shall:
1. Contain a current description of the duties, responsibilities, requisite skills, educational level, essential minimum physical requirements, and any other minimum qualifications required for the positions to be filled. (31.3.1 a)
  2. Advertise application-filing deadlines. (31.3.1 d)
  3. Be posted through electronic, print, or other media. (31.3.1 b)
  4. Be posted with or through community service organizations and other locations selected to promote recruitment objectives. (31.3.2)
- C.** The Department shall ensure that equal opportunities in employment are provided to all persons and that discrimination against any person in the recruitment, examination, selection, and hiring process because of race, color, sex, age, religion, national origin, or disability does not occur, unless a bona fide occupational qualification or statutory requirement exists.
1. All employment applications, recruitment materials, and recruitment advertisements shall advertise the Department as an Equal Opportunity Employer. (31.3.1 c)

2. The Chief of Police, or designee, will review all of the Department's job descriptions in conjunction with the City of Bryan Human Resource Department on a periodic basis to ensure they support recruitment strategies/procedures and accurately reflect the minimum duties and qualifications of the position.
- D.** Prospective applicants seeking information about job opportunities, or seeking to apply for employment, shall be referred to the Human Resources Department for an application packet and/or information about the test date, application process, and filing deadlines.
1. Applicants shall be informed in writing of all elements of the selection process, expected duration of the selection process, and the Department's policy on reapplication. *(32.11)(32.1.4 a, b, c)*
  2. Applications for sworn positions will not be rejected due to minor omissions or deficiencies that can be corrected prior to written testing. *(31.3.4)*
  3. The Human Resources Department shall maintain applications in accordance with City designated retention schedules.
  4. The Support Services Division Lieutenant, or designee, shall ensure periodic contact is maintained with each applicant during the selection process to advise the applicant of the status of their application. Applicant contacts shall be documented and logged. *(31.3.3)*
- E.** Responsibility for administering the Department's role in the selection process shall rest with the Recruiting Unit. Other Department employees may assist and help coordinate this activity as necessary.
1. The Human Resources Department shall:
    - a. Be responsible for scheduling, posting, administering, and scoring a validated written exam.
    - b. Ensure that all elements of the selection process meet the requirements of validity, utility, and minimum adverse impact.
    - c. Ensure that testing materials are locked and secured from unauthorized access when not in use. *(32.1.7)*
  2. The Recruiting Unit shall:
    - a. That applicants are appropriately scheduled for the various screening processes, other than the written test and the physical fitness assessment, i.e., polygraph examination, psychological test, interview board, medical examination, etc.
    - b. Identify the measurement criteria of the other various screening processes which will help determine the applicant who best meets the needs and criteria of the Bryan Police Department.
    - c. Ensure all elements of the selection process for sworn personnel use only job related rating criteria. *(32.1.2)*
    - d. Prepare an evaluation of the overall recruitment process to delineate the activities that took place and any concerns or actions which may have an impact on future recruitments. This shall be accomplished within sixty (60) days after the establishment of an eligibility list, in the form of an after action report.

- e. Ensure all elements of the selection process be administered, scored, evaluated, and interpreted in a uniform manner. *(32.1.3)*
  - (1) Operational elements of the selection process, such as time limits, oral instructions, practice problems, answer sheets, and scoring formulas shall be clearly set forth and carried out identically for all applicants.
  - (2) Personnel who are representative of the race, sex, and ethnic groups of the community should be used to carry out the selection process whenever possible.
  
- F. The selection process consists of the following separate and distinct procedures, in the order of their occurrence: *(32.1.1)*
  - 1. Position Posting & Recruitment/Application Process
  - 2. Written Exam & Physical Fitness Assessment
  - 3. Background Investigation & Behavioral Personnel Assessment
  - 4. Psychological Test & Polygraph Examination
  - 5. Oral Interview Board
  - 6. Medical Examination & Drug Screen
  - 7. Chief of Police Interview & Final Job Offer
  
- G. Although selection is based upon the successful completion of all of the above listed procedures, the nature of the selection process allows any single procedure, other than the polygraph result, to cause the elimination of an applicant from further consideration.
  - 1. Any applicant not eligible for employment on the basis of any single procedure shall be notified in writing, by the Civil Service Director within 30 calendar days. *(32.1.5)*
  - 2. Re-application for future exams is permitted for applicants who meet the minimum selection criteria standards at the time application is made.
  - 3. Records of applicants for employment shall be the responsibility of the Human Resources Department. These records shall be maintained in accordance with City designated records retention requirements. *(32.1.6)*
  
- H. There may be applicants who successfully complete all phases of the selection process up to the contingent job offer but are not appointed due to a limited number of openings.
  - 1. Applicants who successfully complete all selection procedures shall remain on the eligibility list in effect for a period of not less than six (6) months or more than twelve (12) months from the date of the exam, unless the names on the list have been exhausted.
  - 2. Eligible applicants not offered employment due to limited positions shall be notified by the Bryan Police Department of their standing on the list.





3. A physical fitness assessment shall be administered and scored as pass/fail. All applicants must be able to complete the Cooper Standards physical evaluation. Applicants must achieve at least a 25% compliance with the basic physical fitness standards.
4. A thorough background investigation, as outlined by TCLEOSE, shall be performed on each applicant by an employee assigned as the investigator by the Chief of Police. This check of each applicant's personal history shall be based upon information supplied by the applicant in the background packet, and shall be conducted prior to the applicant's appointment to probationary status.
  - a. Only personnel trained in collecting the required information shall be used to conduct background investigations. (32.2.2)
  - b. The background investigation shall include:
    - (1) Verification of information supplied on the application and on the Bryan Police Department background questionnaire.
    - (2) Verification of the applicant's qualifying credentials. (32.2.1 a)
    - (3) A review of applicant's criminal history, if any, through TCIC/NCIC. (32.2.1 b)
    - (4) A review of the applicant's driving record, and/or driving status or eligibility.
    - (5) Verification of at least three of applicant's personal references. (32.2.1 c)
    - (6) Contact with police agencies in cities and towns where the applicant has lived.
    - (7) A review of the applicant's employment history.
    - (8) A review of the applicant's polygraph, psychological, and medical examinations.
    - (9) Personal contact, whenever possible, with references, neighbors, family, school administrators, etc., of the applicant.
  - c. Background investigators shall use whatever legal means are at their disposal, including teletype, computers, agency records, phones, personal contacts, etc., to thoroughly verify and investigate information.
  - d. Investigators shall follow leads and information to further the scope of the investigation, and are not limited by the information supplied on the application.
  - e. Verification of all information shall be supported by written notations. Background investigators who assist each other in the scheduling of tests shall provide written notification of their action to the background investigator assigned the background packet.
  - f. A record of each applicant's background investigation shall be securely maintained in accordance with City designated retention schedules: (32.2.3)
  - g. Background files of successful applicants who are hired shall be maintained in the employee's file in the Human Resources Department.
  - h. Background files of unsuccessful applicants shall be maintained in a secure area.
  - i. The background investigator assigned to complete the investigation shall ensure that the Bryan Police Department Background Checklist is completed and attached to the background investigation so that all TCLEOSE requirements have been met and documented.
5. Behavioral Personnel Assessment Device (B-PAD)
  - a. A behavioral personnel assessment, consisting of eight police related scenarios, shall be administered in accordance with B-PAD guidelines. The applicant's

responses will be recorded and scored to measure interpersonal and tactical communication skills.

- b.** Applicants must achieve a minimum acceptable score as established by the Departmental guidelines.
- c.** Applicants who fail to achieve an acceptable score may be disqualified.
- d.** Only trained personnel may administer and score B-PADS.

**6. Psychological Examination**

- a.** Only qualified professionals shall assess the emotional and psychological condition of an applicant, using valid, useful, and nondiscriminatory procedures.
- b.** A battery of psychological tests shall be administered to each applicant prior to appointment to probationary status. (32.2.8)
- c.** A record of the results of the test shall be securely maintained on file at the Department. If the applicant is hired, the record shall be maintained in the confidential file of the applicant/employee with the Human Resources Department. (32.2.9)

**7. Polygraph Examination**

- a.** The polygraph examination shall be administered and evaluated only by persons licensed by the Texas Polygraph Examiners Board.(32.2.5)
- b.** The results of the polygraph, by itself, shall not be used as a determinant of employment. (32.2.6)
- c.** An admission during pre-test, test, or post-test interviews, coupled with other information gathered in the selection process, may be sufficient to disqualify an applicant.
- d.** The applicant will be given a list of the areas to be addressed by the polygraph examiner prior to the examination. (32.2.4)

**8. Oral Interview Board**

- a.** Results of the oral interview shall be recorded on standardized forms and shall be maintained on file in accordance with City designated retention schedules.
- b.** The oral interview shall consist of a minimum of three (3) interviewers per applicant, as appointed by the Support Services Division Lieutenant with the approval of the Assistant Chief assigned to the Operations Support Bureau.

**9. A medical and physical examination shall be administered to each applicant to determine the applicant's ability to perform the essential functions of the job as determined by a licensed medical practitioner. Examinations will be conducted prior to the date of hire, but after a contingent job offer has been made. (32.2.7)**

- a.** A drug screening examination to determine the presence of illegal drugs shall be administered.
- b.** Results of the tests shall be provided directly to the Human Resources Department and maintained in their files. (32.2.9)

**10. Applicants successfully completing all phases of the selection process shall be scheduled for an informal interview with the Chief of Police who has final authorization as to the hiring of an applicant.**

**11. Upon notice by the Chief of Police, or designee, City of Bryan Human Resources will contact the applicant and extend a final job offer, based on the start date**

provided by the Department. City of Bryan Human Resources will coordinate a City Orientation for the applicant on their start date or shortly thereafter. All applicants shall meet with the Support Services Division Lieutenant and Training Unit Sergeant and receive a department orientation prior to beginning assignment at the academy or starting the Field Training Officer Program.

**M. Appointment to Probationary Status**

1. Applicants employed by the Department shall remain on probation for a period of eighteen (18) months with the following training phases: *(32.2.10)*
  - a. If TCLEOSE peace officer certification is not held, the probationary officer will be assigned to the Central Texas Police Academy for a period of no less than sixteen weeks for the purpose of obtaining peace officer certification.
  - b. Once graduated from the Police Academy, the probationary officer will enter an orientation phase and then be placed in an FTO program for a period not less than sixteen weeks.
  - c. Upon successful completion of the FTO program, the officer will be assigned appropriately.
2. Employees on probation must:
  - a. Attend and successfully complete the basic academy if basic certification from TCLEOSE is not already held.
  - b. Successfully complete the Department's Post-Academy training and Field Training Program.
  - c. Function in a proficient and professional manner to the satisfaction of Department management.
3. Employees on probationary status shall be evaluated as follows:
  - a. While in the Field Training Program, the probationary officer will be evaluated in accordance with the procedures established in the Field Training Officer (FTO) Program Manual.
  - b. Upon completion of the FTO Program, the probationary officer will be evaluated for the time remaining until the employee's eighteen month anniversary for date of hire by their immediate supervisor. This evaluation will be completed utilizing the Probationary Officer Monthly Evaluation Form.
  - c. Probationary employees shall be allowed to appeal their annual performance rating by following the procedures outlined in General Order 13-12.1 (Performance Evaluations).

**N. Responsibility for administering the Department's role in the selection process for civilian personnel shall lie with the Recruiting Unit. Other Department employees may assist and help coordinate this activity. All applicants, regardless of previous employment or experience, shall be subject to the same selection process.**

1. The selection process consists of:
  - a. Announcement & Application
  - b. Oral Board Interview
  - c. Background Investigation
  - d. Medical Examination & Drug Screen
  - e. Interview with the Chief of Police



- (1) Background files of successful Applicants shall be maintained in the employee's file in the Human Resources Department.
  - (2) Background files of unsuccessful Applicants shall be maintained in a secure area at all times.
5. Applicants for civilian positions shall submit to a medical examination to determine the applicant's ability to perform the essential functions of the job. Examinations will be conducted prior to the date of hire, but after a contingent job offer has been made.
  - a. A drug screen to determine the presence of illegal drugs shall be administered.
  - b. The results of the medical/physical exam and drug screen shall be provided directly to the HR Department where it will be securely maintained.
6. Applicants successfully completing all phases of the selection process shall be scheduled for an informal interview with the Chief of Police who has final authorization on all hiring decisions.
7. Upon notice by the Chief of Police, or the designee, Human Resources will contact the applicant and extend a final job offer.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 20, 2006	<b>NUMBER</b> 03-09.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Assignments Transfers Promotions	<b>CALEA</b> <a href="#">34.1.1</a>
<b>SUBJECT</b> Assignments, Transfers, and Promotions		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy concerning assignment, transfers, and promotions of all sworn personnel within the Department.

**II. DEFINITIONS**

**III. POLICY**

It is the policy of the Department to provide all employees the opportunity for individual growth, professional development, and personal satisfaction at all levels of employment. The Department encourages employees to attend schools, seminars, and training in order to enhance their skills, knowledge, and abilities. The Department will assist each employee in achieving their career goals.

**IV. REGULATIONS**

**A. Program Administration:** The Support Services Division Lieutenant shall be responsible for the administration of the voluntary career development program in accordance with the goals and objectives established by this section of the policy, and shall coordinate all components of the program and evaluate and revise the program as necessary to ensure the needs of the Department and its employees are met.

**B. Program Objectives:** The objectives of the career development program shall be to:

1. Provide supervisory personnel with periodic training to increase their knowledge and skills in coaching, counseling, employee benefits, educational opportunities, and available outside resources. [\(33.8.1\)](#)
2. Assist employees in making informed decisions regarding career path opportunities available to them.
3. Provide qualified personnel for necessary staff replacements without an appreciable loss of efficiency or quality of service to the community.

4. Provide a means whereby employees may come to realize professional excellence within a particular area of interest.
  5. Ensure that training and career opportunities are equitably distributed.
  6. Develop and maintain an annual career development database on all employees who participate in the program.
- C. Career Development Procedures:** The purpose of this voluntary program is to assist employees with achieving their career goals. While the Department encourages members to participate, there shall be no penalty for non-participation. *(35.1.9.c)*
1. Upon completion of their initial probationary period and each year during the employee's annual performance review, employees shall be scheduled to meet with their supervisors for the purpose of outlining a general plan to assist in the achievement of their personal career goals. Refer to General Order 03-15 (Employee Performance Evaluations). Employee Employees participating in the career development program shall complete a career interest survey. The originals shall be forwarded to the Support Services Division, for inclusion into the employee career development file. The career paths that employees may choose from are either technical or managerial.
  2. When a change in assignments causes the employee to report to a new supervisor, the newly assigned supervisor should review the employee's career development information with the employee.
  3. During annual performance reviews, the supervisor shall review the employee's career development information, if applicable, and shall discuss progress, or lack thereof, towards the stated career goals. If the employee is participating, this review will be annotated in the narrative portion of the employee's performance review. A career interest survey on each employee shall also be updated by the employee's immediate supervisor at the time of their performance review. Suggested discussion items are:
    - a. The education and TCLEOSE hours obtained by the employee in obtaining the next level of certification.
    - b. Internal and external training received which enables the employee to acquire new skills, knowledge, and abilities required to remain competent in their current assignment.
    - c. Specialty training the employee has received that would enhance their upward mobility and/or enable them to progress toward their career goals.
  4. Program Components
    - a. Career Counseling: Although department size, budget, and staffing allocations do not provide for professional career counseling services, there is much that can be accomplished to assist employees in realizing their career goals.
      - (1) Career counseling shall be provided at the time of the annual performance review by the employee's immediate supervisor and may relate to advancement, specialization, or training appropriate to the employee's position. *(35.1.9.c)*
      - (2) Employees desiring career counseling beyond that provided during the performance evaluations may schedule a counseling session with their chain of command.

- b. Training Opportunities:** All employees shall be notified of any in-service, external, or specialty training available by use of a "Training Information" electronic mail message send to all employees.
  - (1) Career Specialty/In-Service Training** - Training and instruction designed to enhance an employee's upward mobility and/or job satisfaction due to its concentration on an area of interest and specialization which coincides with the employee's career goals.
  - (2) Proficiency/In-Service Training** - Training based upon the need to provide employees with periodic and continuing job-related instruction designed to enable them to acquire the additional skills, knowledge, and abilities required to remain competent in the duties and responsibilities of their current job assignment.
  - (3) Supervisory Training** - Any employee promoted to a supervisory position shall, as soon as practical, receive necessary training in management techniques that will enable them to execute the duties and responsibilities of the supervisory position. [\(33.8.2\)](#)
  - (4) Specialized Training** - Any employee promoted to a position requiring specialized skills shall, as soon as practical, receive necessary training in those skills. [\(33.8.2\)](#) This includes Traffic Safety Unit officers, Canine Unit officers, School Resource Unit officers, etc.
  - (5) Short-term or On-the-job Training** - Temporary assignments to various Departmental components designed to give the employee first-hand experience in various task assignments. Examples would be short-term assignments for patrol officers to Criminal Investigations, Training, or Crime Prevention.
    - (a)** Bureau Commanders and Division Lieutenants may create short-term assignments to enhance the skills of their personnel.
- c. Academic Enhancement:** The Department encourages all employees to continue their formal education. To assist in this endeavor, the Department has authorized all patrol shift changes to coincide with the semesters at the local colleges and universities. (Individual shift changing may be approved by the Division Commander with the needs of the Department and City taking precedence.) [\(22.2.9\)](#)

## 5. Record Keeping

- a.** The Support Services Division shall maintain a record for each participating employee's preference for one of the two (2) career paths as part of the career development database.
- b.** Supervisors conducting performance reviews for employees participating in the Career Development Program shall coordinate a time to review the following information with the Support Services Division:
  - (1)** TCLEOSE certification status.
  - (2)** Accrued TCLEOSE hours.
  - (3)** Current in-service and external training status.
  - (4)** Current educational status.

- 6. Employee Responsibilities:** While the Department will strive to provide career advancement opportunity for all employees, it is the responsibility of each employee to keep the training function notified of changes in their educational status, schools attended, and other factors influencing their career development with the Department.



## V. PROCEDURES

### A. Transfer Assignments (16.2.2)

1. Transfer assignments are defined as the reassignment of personnel to another Bureau, Division, Unit, or Team within the Police Department.
  - a. When a position is vacated and/or created to fulfill a specific service level, the Chief of Police or his/her designee shall advise all eligible personnel of:
    - (1) The intent to fill the vacancy.
    - (2) The process that will be used for selection.
    - (3) The closing date for receiving memorandums of interest.
  - b. Personnel interested in transferring to another area within the Department are required to submit a memorandum through their chain of command, which outlines their qualifications for the position. Memorandums of Interest must be received by the closing date to be considered further for the posted position. Each level in the employee's chain of command shall annotate their recommendations regarding the employee's request for transfer/assignment and shall immediately forward the request, with all necessary attachments.
  - c. The Chief of Police, or his/her designee, shall screen all Memorandums of Interest to ensure the eligibility of each interested employee. Employees who are found to be ineligible will be notified of the reason for rejection within five (5) working days after the closing date.
  - d. Within thirty (30) days from the established closing date, the Chief of Police or his/her designee shall select an employee to fill the vacancy. Notification of this decision shall be immediately forwarded to all eligible employees participating in the process.
  - e. When testing for any special assignment, all personnel participating shall be considered as being "on-duty." Each employee testing is responsible to make arrangements with their supervisor to be released to participate in the testing process. If the employee is scheduled to be off-duty at the time of the testing the employee and the supervisor shall make arrangements to adjust out the time as soon as possible, so that no overtime is necessary.
  - f. The Chief of Police retains the final authority to approve employees for any job assignments within the Department.

**B. Temporary Transfers:** A Bureau Commander or Division Lieutenant may temporarily transfer personnel within their chain of command to ensure proper operation of the Department. Temporary transfers will not exceed ninety (90) days unless exigent circumstances exist. Temporary transfers that exceed ninety (90) days shall require the authorization of the Chief of Police.

### C. Specialty Assignments

1. The following information is offered as a guideline for officers who may be interested in being selected for special assignments in specific areas of the law enforcement field. Participation in the Career Development Program is encouraged. This information is a guideline only and is not a guarantee of assignment to any position. The Chief of Police retains the final authority to approve employees for any job assignments within the Department.

2. Officers must successfully complete the selection process prior to being considered for special assignments. The selection process may include a written examination relative to the assignment, oral interview board, past job performance reviews, knowledge of Departmental policies, attendance records, use of force records, accident records, etc.
  3. Minimum qualifications for a specialty assignment include but are not limited to:
    - a. Minimum of two (2) years as regular Police Officer with the City of Bryan, unless waived by the Chief of Police based upon extreme need.
    - b. Ability to work with minimal supervision.
    - c. Above average verbal and written communication skills.
    - d. An overall rating of “meets” or above on the most recent performance review.
    - e. Supervisor recommendation for assignment to a specialty position.
- D.** Promotions: The selection of sworn personnel for promotion shall be determined in accordance with Chapter 143 of the Local Government Code and the rules and regulations of the City of Bryan Civil Service Commission. [\(34.1.1\)](#)

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 03-10.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Work Scheduling Scheduling Pay Practices Time Reports Overtime Pay Compensatory Time Holiday Pay Standby Pay	<b>CALEA</b> <a href="#">22.1.1e</a> <a href="#">22.1.1f</a> <a href="#">22.2.1b</a>
<b>SUBJECT</b> Work Scheduling and Pay Practices		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the Department’s policy and procedures concerning work scheduling and pay practices.

**II. POLICY**

The Bryan Police Department reserves the right to establish official work hours for all employees in order to ensure accomplishment of its mission, goals, and objectives. Supervisors must actively manage their employee’s work schedules to ensure that staffing needs are met and adjust work schedules as necessary towards that end. Employees must accurately record the hours worked, reflective of any schedule adjustments on their time cards.

**III. PROCEDURES**

**A. Work Scheduling**

1. Supervisors shall arrange work schedules so as to provide for a sufficient number of personnel on-duty at all times, according to the needs and requirements for achieving the police mission.
2. Normally, a “work day” shall consist of a minimum of eight (8) consecutive hours during any twenty-four hour period.
3. Normally, a work period shall consist of (40) regular hours of work during a 7 day period unless an alternative work schedule has been adopted. The normal work period for sworn personnel shall consist of (80) regular hours of work during a (14) day period. Example: Officers working a 12 hour shift schedule will work 80 hours within a 14 day work period.
4. All personnel will be granted at least two days off during each work week. Normally, the two days off will be scheduled consecutively, however, at the request of the employee, a supervisor may schedule non-consecutive days off for the purpose of attending classes at an institution of higher education.

5. All personnel are subject to being required to work overtime, and may be called back to work while off-duty or on days off subject to the needs of the Department.
6. Supervisors are authorized to make reasonable changes in an employee's hours to work, days off, etc. if necessary to address the needs of the Department.
7. All personnel are subject to being placed on "on-call" status for emergency situations, for court, and/or to respond to major incidents. Personnel who are "on-call" are considered on standby to return to work and subject to the following conditions:
  - a. The officer must be in a position to answer his/her home telephone or must carry a pager at all times.
  - b. The officer shall respond within 30 minutes of being notified of or requested to return to work.
  - c. The officer shall not drink any alcoholic beverages while on-call.
  - d. The officer shall not take any medications which would affect his/her mental or physical abilities to perform their duties.
  - e. An officer who is "on-call" may have another officer of the same rank take his/her "on-call" responsibilities subject to the approval of his/her supervisor.
  - f. The on-call command officer and/or the on-call CID officer will be notified or requested to respond under guidelines established in General Order 04-12 (Significant Events) and General Order 04-13 (Response Procedures).
8. Officers requesting time off must give reasonable notice of at least 24 hours prior to taking off. This will allow for planning of staffing requirements. Supervisors may waive the notice requirement if the request would not create a staffing problem.

## **B. Pay Practices**

### **1. Time Reports**

- a. All personnel are responsible for approving their time report before the report is submitted for processing.
- b. Before approving the time report, members shall review the report for errors or inaccuracies.

### **2. Overtime Pay (22.1.1f)**

- a. Employees will be paid overtime in accordance with established City of Bryan accounting procedures.
- b. Compensatory time may be granted in lieu of overtime payments, subject to limitations required by the federal Fair Labor Standards Act. Sworn employees may accumulate up to 120 hours of compensatory time. All overtime in excess of 120 hours will automatically be paid as wages. Officers may not transfer accumulated compensatory time to another officer. Officers should be allowed to use their compensatory time within certain limitations allowed by the Fair Labor Standards Act, and subject to the prior notice requirement. (22.1.1e)
- c. If an authorized holiday falls on an employee's regularly scheduled workday, then the holiday, whether worked or not worked, contributes toward completion of the work period and these hours are used in computing overtime pay.

- d. Vacation, sick leave, compensatory time, and bereavement leave do not contribute to the work week and cannot be used in computing overtime pay.
- e. All overtime, regardless of reason, requires prior approval of a supervisor. A Sergeant working overtime will get prior approval from a Lieutenant or above.

3. Holidays *(22.2.1b)*

- a. Employees who are not normally required to work on days designated as City holidays must take holiday leave on those days unless a request to take the holiday on a different day is approved by the employee's Bureau Commander.
- b. Sworn and non-sworn employees who work shift work and are not able to always take their holiday leave on the designated City holiday may take their holiday leave on other days and in the order in which the holidays occur except as permitted in 3. (Example: Labor Day holiday must be taken prior to Thanksgiving holiday.)
- c. Employees who are scheduled to work on the day of the actual holiday (not necessarily the day designated as a holiday by the City) may be paid for the holiday only if the holiday could not be taken off during the specified 6 month period as provided under III.B.3.e.
- d. It is the employee's responsibility to request holiday leave. Holiday's may not be carried over or accumulated beyond the period of time in which they are required to be taken.
- e. Employees who are not always able to take holiday leave on the day designated as City holidays because of shift scheduling must take holiday leave within the following time periods:

October 1 – March 31  
 Thanksgiving (2)  
 Christmas Eve  
 Christmas  
 New Years  
 MLK Day

April 1 – September 30  
 Good Friday  
 Memorial Day  
 Independence Day  
 Labor Day

- f. Floating holidays must be scheduled and used within the calendar year subject to supervisory approval. Floating holidays not used by December 31 shall be forfeited.

4. Court Pay

- a. Officers, who are required to attend court as a witness in a criminal or civil case in their official capacity as a Bryan Police officer while off-duty, shall be paid a minimum of two hours pay.
- b. If the officer is required to spend more than two hours attending court while off-duty, the officer shall be paid in quarter-hour increments for all time beyond two hours.
- c. Requests for court pay will be submitted on a Bryan Police Department Request Memorandum. The form must be signed by the prosecuting attorney or his/her designee.
- d. Off-duty officers will be paid court pay for all time spent by the officer in conference with prosecutors, while testifying, or waiting to testify.
- e. Officers who are subpoenaed to testify in an out-of-jurisdiction court as a result of prior service with another law enforcement agency will be considered on-duty while testifying and the time will be compensated.

**5. Standby Pay**

- a.** Personnel who are placed on-call shall earn one hour standby pay, at their regular rate, for each twenty-four hour period for which they are “on-call.”
- b.** Standby “hours” which result in the officer working over forty hours in any given work-week will be paid in accordance with City of Bryan pay practices.

**6. Request Form**

- a.** A form entitled “Request Memorandum,” attached to this directive, shall be completed by personnel wishing to:
  - (1)** Take off in lieu of:
    - (a)** Vacation
    - (b)** Sick Leave
    - (c)** Injury Leave
    - (d)** Compensatory Time
    - (e)** Holiday
    - (f)** Military Leave
    - (g)** Bereavement Leave
    - (h)** Jury duty
    - (i)** Leave of Absence
  - (2)** Be paid or credited for:
    - (a)** Overtime Pay
    - (b)** Court Pay
    - (c)** Compensatory Time
    - (d)** Holiday Pay
    - (e)** Standby Pay
    - (f)** Field Training Officer Pay
- b.** The Request Memorandum shall be attached to the employee’s time report and forwarded to the administrative coordinator, after review and approval by the employee’s supervisor.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> February 14, 2005	<b>NUMBER</b> 03-11.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Meal Period Break Period	<b>CALEA</b>
<b>SUBJECT</b> Field Personnel Meal/Break Period		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the Department’s policy and procedures concerning field personnel meal/break periods.

**II. POLICY**

It is the policy of the Department to afford members a meal break and specified break periods, as time and mission allow. Every effort will be made to ensure that all employees receive a daily meal break during their shift. There may be instances when an employee may not receive a scheduled meal break or break period due to significant events or workload.

**III. PROCEDURES**

**A.** Officers on 10 or 12 hour shifts will be allowed 60 minutes of compensated meal/break time per shift. The officer may break up the 60 minute period into smaller increments, if they so desire, based on call load, manpower on duty, etc.

**B. Check-Out Guidelines**

1. No officers may check-out for meals/breaks during the first or last hour of a shift.
2. An officer may not check-out for a meal/break if there are calls holding in his/her beat.
3. Officers shall check-out at the location by name and/or address. Pager numbers will not be acceptable.
4. Officers shall continue to monitor their radios and are subject to call for priority incidents at any time during the check-out.
5. No more than two marked Bryan Police units during the day shift period (06:00-18:00) and no more than three during the night shift patrol (18:00-06:00) may be at any one meal/break location at a time
6. Total unit counts mentioned above include Bryan police units with markings, i.e. patrol supervisor units, K-9, SRO units, etc. The total does not include marked units from other law enforcement agencies.
7. Officers may dine at appropriate restaurants in Bryan or College Station.

8. Supervisors shall have the discretion to alter the meal schedule, based on operational needs, at any time.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> April 21, 2005	<b>NUMBER</b> 03-12.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Extra-duty jobs Off-duty jobs Moonlighting Secondary employment	<b>CALEA</b> <a href="#">22.3.3</a> <a href="#">22.3.4a-e</a>
<b>SUBJECT</b> Secondary Employment		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

### I. PURPOSE

The purpose of this directive is to establish policy concerning secondary employment by members (both sworn and non-sworn) of the Department. [\(22.3.3\)](#)

### II. DEFINITIONS

**Extra-duty police work** – Any employment for an outside employer conditioned on the actual or potential use of law enforcement powers by an officer that is compensated by the Department and considered on-duty by the Department. Examples include, but are not limited to: funeral escort, TAMU football, STEP grant within provisions of the grant.

**Off-duty non-police work** – Any service rendered outside of the Department for work during the off-duty period for which goods, services or pay are received in return and where the use of law enforcement authority is not anticipated.

**Off-duty police work** – Any service rendered outside of the Department for work during the off-duty period for which goods, services or pay are received in return and where the actual or potential use of law enforcement authority is reasonably expected.

**Secondary employment** – Any work for which an employee receives remuneration of material value, including self-employment, performed by the employee that is not part of the duties assigned to that employee by the Bryan Police Department. This includes both off-duty police work and off-duty non-police work.

### III. POLICY

To ensure on-duty efficiency and to prevent possible conflicts of interest, secondary employment by members of the Department shall be regulated according to the provisions of this directive. Any secondary employment by a member of this Department that may impair the member's on-duty efficiency and/or effectiveness or that may represent a conflict with the duties and responsibilities of the member shall not be permitted. [\(22.3.3\)](#) The Chief of Police or his designee must approve any secondary employment by a member of the Department. [\(22.3.4\)](#)

The primary obligation and responsibility of a member who accepts secondary employment must be to the Department. Employees shall act in a professional manner that does not detract from the professional image of the Bryan Police Department. [\(22.3.3\)](#) Members directed to report for overtime work will do so regardless of their secondary employment situation. Employees

engaging in secondary employment shall adhere to all Department rules, regulations, General Orders, and special orders and policies. (22.3.4b)

Employees employed to perform off-duty police work will be bound only by their police authority for the enforcement of the ordinances and laws of the City of Bryan, State of Texas, and the United States. When enforcing rules made by the secondary employer, employees are acting only as the agent of that employer and unless a law or ordinance as been violated, police action will not be taken.

#### **IV. PROCEDURES**

- A.** Requests for employees to work off-duty police work shall be referred to the executive secretary to the Chief of Police who shall be responsible for posting the off-duty police work job opportunity on the off-duty police work jobs bulletin board. (22.3.4d) A contact person and telephone number shall be listed on the job posting.
- B.** The executive secretary will inform persons requesting employees to work off-duty police work of the standard pay rate.
- C.** Neither the Bryan Police Department nor its employees are obligated to perform any off-duty police work or off-duty non-police work.
- D.** Any employee acting as an off-duty job coordinator/broker is expressly prohibited from engaging in activities associated with the secondary job while on-duty unless prior written approval is obtained from the Chief of Police.
- E.** Secondary Employment Permits (22.3.4c)
  - 1.** Employees desiring to engage in secondary employment must complete and sign a Form 39, "Secondary Employment Request" for each job worked. One Form 39 will suffice for long-term secondary employment where the employer, duties, and schedule remain essentially constant.
  - 2.** The completed Form 39 shall be submitted to the member's immediate supervisor, who shall forward the form with any comments to the Chief of Police through the chain of command.
  - 3.** A Form 39 is not required for periodic, short-term jobs that are approved and posted on the off-duty police work jobs bulletin board. The job posting will indicate whether a Form 39 is required to be on file or not. Extra-duty police jobs do not require a Form 39.
  - 4.** If necessary, the Chief of Police may direct the Professional Standards Unit to conduct a review of the member's request for secondary employment to determine:
    - a.** The nature of the secondary employment.
    - b.** The type of establishment in which the member will be employed.
    - c.** Whether alcoholic beverages will be sold, served, or consumed.
    - d.** Any other pertinent information.
  - 5.** The member making the request will be notified of the approval or disapproval of the request.
  - 6.** The Form 39 shall be maintained on file in the Office of the Chief of Police.

7. Approval for secondary employment may be denied when it appears that the employment might:
  - a. Render the employee unavailable in the event of an emergency.
  - b. Physically or mentally exhaust the employee to the extent that his/her on-duty performance may be affected.
  - c. Require that special consideration be given to the scheduling of the member's regular duty hours.
  - d. Bring the department into disrepute or impair the operation or efficiency of the member or the Department.
  - e. Be in conflict with any policy, procedure, rule, or regulation of the Department.
8. Any member wishing to appeal a denial of a request for secondary employment shall submit a written notice of appeal to the Chief of Police through the chain of command.
9. All secondary employment permits shall expire on December 31st of each year. Any member wishing to renew a secondary employment permit must submit another Form 39 prior to that date.

**F. Supervisor Responsibilities (22.3.4c)**

1. On-duty patrol supervisors shall be responsible for any necessary supervision of officers engaging in off-duty police work or extra-duty work.
2. Supervisors may verify the secondary employment permits of officers and may temporarily revoke a permit for good and sufficient cause.
3. If a supervisor temporarily revokes a secondary employment permit, a written report detailing the circumstances of the revocation will be forwarded to the involved officer's Bureau Commander.
4. The Bureau Commander will review the circumstances of the temporary revocation and forward a recommendation to the Chief of Police as to whether and when the permit should be reinstated or permanently cancelled.
5. The Chief of Police shall make the final decision as to the status of the secondary employment permit.
6. When a supervisor believes that a subordinate's ability to perform regular duties is being adversely affected by secondary employment, the supervisor shall document the reasons for his/her belief and forward a written report to the Bureau Commander through the chain of command. The report should contain a recommendation regarding reduction of secondary employment hours, revocation of the permit, etc.
7. The Bureau Commander will review the circumstances and forward a recommendation to the Chief of Police who shall make the final decision regarding the status of the secondary employment permit.

**V. OFF-DUTY POLICE WORK JOB POSTINGS**

**A. Off-duty Police Work Job Bulletin Board**

1. The Department will maintain a bulletin board for posting of off-duty police work and extra-duty job opportunities that are arranged through the Department.

2. The off-duty job bulletin board is restricted to information regarding off-duty and extra-duty police work. All other types of information shall be posted on other bulletin boards.

**B. Sign-up Guidelines**

1. Unless otherwise stated, officers may sign only once for any posted off-duty or extra-duty opportunity.
2. Officers may not sign up another officer for a job.
3. If an officer signs up for an off-duty or extra-duty police job and then finds that he/she cannot work the job, that officer is responsible for finding a replacement.
4. An officer who chooses to remove his/her name from an off-duty or extra-duty police job posting shall draw a single line through the name and initial beside it. Correction fluid will not be used to cover up the name.
5. Failure to work an off-duty or extra-duty police job that an officer signed up for reflects poorly upon the officer and the Department and may result in sanctions. Each missed job will be reviewed on a case by case basis. Progressive sanctions will be based on the totality of the circumstances and may include suspension of off-duty privileges and/or disciplinary action.

**VI. SECONDARY EMPLOYMENT REGULATIONS**

- A.** The total number of hours worked by an employee during any 24-hour period shall not exceed sixteen hours (including on-duty, off-duty, extra-duty or any combination of the three), except that in an emergency situation, that number may be exceeded if deemed necessary and approved by a Division Commander, Bureau Commander or the Chief of Police.
- B.** Members shall not use their official positions for the direct benefit of a private business in which the member has an interest, and will perform their duties within the framework of all applicable Federal and State statutes, City ordinances and Departmental policies.
- C.** Probationary police officers who are attending the basic police training academy or who have not completed field training shall not be permitted to engage in off-duty or extra-duty police work unless specifically authorized to do so by the Chief of Police or his designate.
- D.** Officers shall not be permitted to engage in off-duty or extra-duty police work outside the limits of the City of Bryan except in cases specifically authorized by the Chief of Police, or under the auspice of a valid inter-local agreement governing such activities.
- E.** Secondary employment permits shall not be granted for any off-duty police work in or at any establishment where the sale of alcoholic beverages is the primary purpose of the business, except in cases specifically authorized by the Chief of Police.
- F.** When off-duty officers are requested to provide security for functions at which alcoholic beverages will be served, a minimum of two (2) uniformed officers will be required. If more than 300 persons will be in attendance, an additional officer will be required for each additional 150 persons expected.
- G.** Secondary employment permits shall not be granted for any off-duty police or off-duty non-police work in the following types of businesses or establishments: [\(22.3.3\)](#)

1. X-rated movie houses or theaters.
  2. Bail bond agencies.
  3. Private investigation or guard services.
  4. Collection agencies.
  5. Attorneys.
  6. Pawn Shops.
  7. Escort Service.
  8. Wrecker Service.
  9. Locksmith.
  10. Any capacities that may require as criteria for employment the employee having access to police information, files or records and require furnishing those records as a condition for employment.
- H.** Employees shall not solicit any individual or business for the purpose of gaining secondary employment. This rule does not prohibit any member from explaining the procedure for arranging employees for off-duty police work.
- I.** Employees performing off-duty police work that become involved in activity that results in a response by on-duty officers or assignment of a case number shall be responsible for completing appropriate paperwork concerning any actions taken. *(22.3.4e)*
- J.** When employees working off-duty police work make an arrest, their time becomes “on-duty” and they will be compensated by the City of Bryan. It is incumbent that the employee notify the secondary employer and the appropriate adjustments in pay be made to insure that an employee does not receive pay from two sources for the same time. *(22.3.4e)*
- K.** Employees who attend court as a result of secondary employment shall notify their supervisor, who will forward to the Executive Secretary for filing. *(22.3.4e)*
- L.** Employees may not work off-duty or extra-duty police work if they are:
1. Assigned to light duty.
  2. On suspension (includes the time period 12 hours prior to the start of the suspension, the suspension period itself, and the time period 12 hours following the conclusion of the suspension).
  3. Listed as being on sick leave, injury leave, or bereavement leave.
- M.** Officers engaged in off-duty or extra-duty police work assignments are responsible for notifying Dispatch of:
1. Location of assignment.
  2. Hours of assignment.

3. Personnel assigned.
4. Nature of duties.
5. Radio call numbers.

**N. Apartment Courtesy Officer**

1. The officer is prohibited from doing the following when working for an apartment complex as a courtesy officer:
  - a. Handling complaints after consuming alcoholic beverages.
  - b. Showing partiality in tenant landlord disputes that are civil in nature.
  - c. Collecting for rent, debts, or bad checks, or evicting tenants.
  - d. Using their police authority or powers to become involved in apartment complex disputes while off-duty.
  - e. Going to the apartments while on-duty and handling calls at the apartments unless the dispatcher assigns the calls.
2. The officer working as a courtesy officer for an apartment complex may perform the following functions while acting as the courtesy officer:
  - a. Provide security for the apartment complex.
  - b. Take appropriate action and make necessary notification on felony offenses committed in their presence.
  - c. The purpose of these rules is to limit an officers police activities when the officer is not on-duty or in uniform.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 26, 1994	<b>NUMBER</b> 03-13.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Light Duty Limited Duty Temporary Limited Duty	<b>CALEA</b>
<b>SUBJECT</b> Temporary Limited Duty		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy guidelines for officers who cannot perform their regular assigned duties due to a temporary disability.

**II. DEFINITIONS**

**Temporary Disability** – A work related injury or illness, either physical or mental; a non-work related injury or illness, either physical or mental; or other medical condition, such as pregnancy, which prevents an officer from being able to perform the full duties of a police officer.

**Limited Duty Assignment** – A duty assignment that involves less than the full range of activities commonly performed by an officer of the same rank within the same organizational component.

**III. POLICY**

**A.** The duties of a police officer are vast and varied due to the nature of police work. To perform full duties and to meet minimum standards expected of a police officer, an officer must be able to:

1. Transfer from one organizational component to another without special consideration of a disability or loss of effectiveness in the component.
2. Affect a forcible arrest without subjecting the officer or any other person to unnecessary risk. Any commissioned officer may, at anytime, be called upon to make an arrest.

**B.** An officer who has a temporary disability that does not require sick leave, but does limit the exercise of duties may be placed on temporary limited duty status. The officer may be assigned to a function that will minimize the risk of unnecessarily jeopardizing the officer's recuperation from the temporary disability.

#### **IV. PROCEDURES**

- A.** A limited duty assignment may be granted upon the request of the officer with an accompanying doctor's statement and recommendation or at the discretion of the Chief of Police. The doctor's statement and recommendation for limited duty shall include:
1. The nature of the disability
  2. The probable length of disability
  3. The prognosis for recovery
  4. A description of duty restrictions
- B.** Assignment to a limited duty status is not an employee right. The Department cannot guarantee that a limited duty assignment will be available in every case of temporary disability. Assignment to limited duty will depend on several factors including, but not limited to:
1. The needs of the Department
  2. The disability
  3. The number of personnel on limited duty
  4. Anticipated duration of the limited duty status
  5. Type of work involved in the limited duty assignment
  6. The training and experience of the officer
- C.** The availability of limited duty assignments will be on a first come basis, with a preference given to officers injured in the line of duty. The final decision on whether an officer is assigned to limited duty shall remain with the Chief of Police.
- D.** When a pregnant officer is no longer physically fit to perform her normal job duties, the officer may be placed on limited duty status. The date of the transfer to a limited duty assignment will be decided on a case-by-case basis depending on the physical condition of the involved officer as determined by the officer's physician.
- E.** Limited duty assignments must fulfill a necessary job function. It is not the intent of the Department to create "make work" positions for officers unable to perform full duties.
- F.** Limited duty assignments will normally be restricted to three months in duration. The duration of limited duty assignments shall be determined on a case-by-case basis, but long term or permanent limited duty situations will not be allowed. Any extensions or exceptions shall be approved by the Chief of Police.
- G.** An officer may be placed in a limited duty assignment outside the police department if such position is available and appropriate as determined by the Chief of Police.



**H.** Officers assigned to a limited duty position will work under the direction of the supervisor of the component to which the officer is assigned. Any leave must be approved by this supervisor.

**V. RESTRICTIONS**

**A.** An officer on limited duty status:

1. Will continue to receive normal pay increases.
2. May not work any police related job while off-duty but may be permitted to work off-duty jobs that are not police related if approved by the Chief of Police.
3. May not wear any departmental uniform on or off duty without permission of a command level officer (lieutenant or above).
4. May not participate in any activities on or off duty that might hinder recovery from the disability.
5. May not operate or ride in a City owned vehicle without supervisor approval for good cause.
6. Must submit to periodic examinations as required by the City's risk management office to evaluate the need for limited duty and submit medical evaluation reports as requested.

**B.** If the limited duty assignment is the result of an injury, illness, or medical condition that occurred on the job or in the line of duty, the affected officer will be granted leave for the amount of time necessary for medical treatments or examinations.

**C.** If the limited duty assignment is the result of an injury, illness, or other medical condition that did not occur on the job or in the line of duty, the affected officer must use sick leave, other accumulated leave, or family medical leave (if applicable) for the amount of time absent from duty for medical treatment and/or examinations.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> December 5, 2003	<b>NUMBER</b> 03-14.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Firearm Retention at Retirement	<b>CALEA</b>
<b>SUBJECT</b> Retiree Concealed Carry		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy for honorably retired peace officers of this Department to carry a weapon in accordance with the guidelines and rules set forth by Senate Bill 117 passed by the 78<sup>th</sup> Texas Legislature.

**II. DEFINITIONS**

**Certificate of (Handgun) Proficiency** – A certificate issued by the Chief of Police under Section 1701.357, Occupations Code, to honorably retired peace officers who have satisfactorily demonstrated weapons proficiency.

**Certificate of Proficiency Eligibility Affidavit** – A sworn affidavit required to be furnished to the Department by an honorably retired peace officer applying for a certificate of handgun proficiency.

**Honorably Retired Police Officer** – A regular or reserve police officer who held a permanent Texas peace officer license issued under Chapter 1701, Occupations Code and retired from this Department after having served not less than 20 years of service as a commissioned officer with at least the last five consecutive years having been served with this Department prior to retirement.

**Participating Retirees** – All honorably retired peace officers holding a Certificate of Handgun Proficiency from this Department.

**III. POLICY**

It is the policy of this Department that honorably retired peace officers from this Department are afforded the opportunity to apply for issuance of a certificate of handgun proficiency. Honorably retired peace officers from this Department are expected to be familiar with Section 1701.357, Chapter 1701, Occupations Code, that outlines the provisions for weapons proficiency for certain retired peace officers should they choose to maintain a certificate of handgun proficiency. Honorably retired peace officers must understand, meet, and maintain eligibility requirements established by the Department and comply with them in their entirety.

## **IV. REGULATIONS**

### **A. Eligibility Requirements**

1. Any retired peace officer wishing to obtain a Certificate of Proficiency from this Department must meet the following criteria as set forth by Chapter 1701, Occupations Code, Section 1701.357 and the Department. These requirements are:
  - a. Must be honorably retired from this Department after not less than twenty (20) total years of service as a commissioned officer;
  - b. Must never have had his/her peace officer's license revoked or suspended for any period during the officer's term of service as a commissioned peace officer; cannot have been discharged for cause, cannot have resigned before the final disposition of allegations of serious misconduct, and never have engaged in conduct that the Department determines will be a potential danger to innocent citizens or will damage the reputation and effectiveness of the Department;
  - c. Must not have any psychological or physical disability that would interfere with the officer's proper handling of a handgun.
2. The retired officer must present a sworn certificate of proficiency eligibility affidavit to this Department indicating the above requirements are met.
3. An officer must have retired from the Bryan Police Department after having served not less than the last five (5) consecutive years as a police officer or reserve police officer with the Department.

### **B. Firearm Qualification**

1. Participating Retirees must demonstrate firearms proficiency to a Departmental Firearms Instructor for initial certification and thereafter at least once a year on a course of fire approved by the Department.
2. Participating Retirees must have a passing score on the course of fire to participate in this program.
3. Participating Retirees may qualify during those times that regularly scheduled Departmental range days are taking place.
4. Any cost associated with qualification by the Participating Retiree is the sole responsibility of the Participating Retiree.

## **V. PROCEDURES**

### **A. Certificate of Handgun Proficiency**

1. Participating Retirees, after meeting the requirements and demonstrating firearms proficiency, will be issued a Certificate of Handgun Proficiency.
2. This certificate will be in the form of a wallet card with the officer's photograph.

- a. The certificate will expire two (2) years from date of issue.
    - b. In order to renew the Certificate of Proficiency, Participating Retirees must re-apply.
  3. Participating Retirees must carry the Certificate of Handgun Proficiency with photo identification anytime a handgun is carried.
  4. The Department's Training Division will conduct a check on applicants for a certificate of handgun proficiency, to include checking with TCLEOSE on licensing, driver license check, TCIC/NCIC, local records check, Professional Standards Office, and the applicant's personnel jacket.
  5. The Training Division shall maintain records on all officers participating in this program.
- B. Use of Force Incidents**
1. All Participating Retirees shall be familiar with and abide by pertinent State Code governing the use of force with a handgun.
  2. If a Participating Retiree displays or uses a firearm in a use of force incident, that officer shall notify the Chief of Police's office immediately and submit a written report to the Chief of Police's office as soon as practical after the incident.
- C. Application of this General Order**
1. The policies and procedures stated within this General Order shall be followed by all participating retirees.
  2. Participating Retirees found in violation of these policies or procedures shall be subject to revocation of the Certificate of Handgun Proficiency as determined by the Chief of Police.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 20, 2005	<b>NUMBER</b> 03-15.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Performance Evaluations	<b>CALEA</b> 35.1.1 35.1.7 35.1.1a 35.1.8 35.1.1b 35.1.9a 35.1.1c 35.1.9b 35.1.1d 35.1.9c 35.1.2 35.1.10 35.1.3 35.1.11 35.1.4 35.1.12 35.1.5 35.1.13 35.1.6 35.1.14
<b>SUBJECT</b> Employee Performance Evaluations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish a performance evaluation policy in order to measure an employee’s performance of assigned job duties and tasks.

**II. POLICY**

In order to achieve its stated goals and objectives the Department must depend on satisfactory work performance from all employees. It is the policy of the Bryan Police Department to routinely evaluate employee performance in a professional, unbiased, and objective manner. *(35.1.1)*

**III. REGULATION**

**A. Objectives and Utilization of Performance Evaluations *(35.1.1)***

1. Maintain and improve job performance through a system of constructive communication, feedback, and evaluation.
2. Provide an opportunity for employee performance feedback.
3. Facilitate decisions regarding the employee’s continued employment or dismissal.
4. Provide a fair and objective method of measuring an employee’s performance.
5. Provide criteria as to the suitability for assignment.
6. Identify training needs of the employee.

**B.** Within ninety (90) days of being assigned to a supervisory position, new supervisors shall receive instruction by the City's Human Resources Department or the Bryan Police Department Training Division on proper evaluation techniques, evaluation procedures, and principles of the City’s performance feedback system, to include use of performance evaluation forms. *(35.1.1b & 35.1.1d)*

**IV. PROCEDURES**

**A. Individual Performance Record (IPR)**

1. The IPR is a computerized record to be used to document significant events of performance including performance strengths and weaknesses. This information will be used to assist the supervisor in the preparation of the employee's performance evaluation and will be destroyed once relevant information has been incorporated into the evaluation document and upon completion of the performance evaluation.
2. The IPR is also used to facilitate two-way communication between supervisors and subordinates. Department supervisors are expected to fairly and honestly evaluate their subordinates.
  - a. Supervisors are required to maintain an IPR on each employee they directly supervise.
  - b. Immediate access to the IPR file will be limited to supervisory personnel and shall be used in a confidential manner for concerned supervisory functions. Access to an employee's IPR file is governed by State law and as such the contents of an employee's IPR file are subject to public scrutiny under the Public Information Act.
  - c. Examples of information the supervisor may want to annotate in an employee's IPR include, but are not limited to:
    - (1) Commendations or positive citizen/co-worker comments.
    - (2) Compliance with Department policies, General Orders, and City Personnel and Administrative policies.
    - (3) Treatment of Department vehicles or other assigned equipment.
    - (4) Documentation of errors on reports, logs, etc.
    - (5) Special details or assignments.
    - (6) Attendance and tardiness.
    - (7) Compliance with meeting objectives.
    - (8) Any other performance related information that should be considered by the supervisor when completing the employee's annual evaluation.
  - d. An employee may request and receive a photocopy of any particular entry in his/her IPR file.
3. Supervisors are responsible for the accuracy of all entries made in an employee IPR file.

**B. Performance Evaluation Requirements**

1. At the commencement of each evaluation period, the supervisor shall meet with each subordinate concerning:
  - a. The tasks of the current position occupied by the employee.
  - b. An explanation of the evaluation criteria. *(35.1.9b)*
  - c. The expected levels of performance on each criterion. *(35.1.9b)*
  - d. The development of goals and objectives. *(35.1.9b)*
  - e. The results of the performance evaluation just completed, if applicable. *(35.1.9a)*
  - f. Career counseling relative to advancement, specialization, or training appropriate for the employee's position, if applicable. *(35.1.9c)*
2. Supervisors are responsible for providing employees a fair, objective, and unbiased evaluation of their job performance for the evaluation period. *(35.1.1c)* Prior to the evaluation the supervisor shall have:

- a.** Reviewed the employee's IPR to become familiar with areas of strengths and deficiencies.
- b.** Conferred with other supervisors who may have supervised the employee during the evaluation period.
- c.** Scheduled the time of evaluation with the employee during the employee's normal work hours.

**C. Performance Criteria and Ratings**

- 1.** The officer performance evaluation system consists of a specific set of dimensions for each job category.
  - a.** Officer evaluation criteria are divided into the following categories:
    - (1)** Professional Competence/Expertise
    - (2)** Interpersonal Skills
    - (3)** Written Communication
    - (4)** Problem Solving/Decisiveness
    - (5)** Initiative
    - (6)** Dependability
    - (7)** Trust
    - (8)** Teamwork
    - (9)** Ethics
    - (10)** Flexibility/Adaptability to Change
    - (11)** Personal Improvement/Individual Career Development
    - (12)** All others listed by the supervisor with prior notice to the employee
  
- 2.** The civilian performance evaluation system consists of a specific set of dimensions for each job category.
  - a.** Civilian evaluation criteria are divided into the following categories:
    - (1)** Professional Competence/Expertise
    - (2)** Interpersonal Skills
    - (3)** Written Communication
    - (4)** Problem Solving/Decisiveness
    - (5)** Customer Satisfaction
    - (6)** Teamwork
    - (7)** Flexibility/Adaptability
    - (8)** Creativity
    - (9)** Initiative
    - (10)** Ethics
    - (11)** Task Leadership
    - (12)** All others listed by the supervisor with prior notice to the employee
  
- 3.** The supervisory and managerial performance evaluation system consists of a specific set of dimensions for each job category.
  - a.** Supervisor evaluation criteria are divided into the following categories:
    - (1)** Professional competence /Expertise
    - (2)** Interpersonal Skills
    - (3)** Written Communication
    - (4)** Problem Solving/Decisiveness

- (5) Initiative
- (6) Task Leadership
- (7) Coaching/Developing Skills
- (8) Performance Feedback
- (9) Rewarding Performance
- (10) Trust
- (11) Conflict Management
- (12) Finance
- (13) Teamwork
- (14) Ethics
- (15) Planning
- (16) Flexibility/Adaptability to Change
- (17) All others listed by the supervisor with prior notice to the employee

4. Performance measurement rating definitions for evaluation criteria are: [\(35.1.1a\)](#)
  - a. **Exceeds Expectations:** The evaluated employee consistently performed in a manner that surpasses or goes significantly beyond the minimum level of acceptable performance.
  - b. **Meets Expectations:** The evaluated employee consistently performed in a manner that achieves or complies with the minimum level of acceptable performance.
  - c. **Does Not Meet Expectations:** The evaluated employee consistently performed in a manner that does not comply with or achieve the minimum level of acceptable performance.
5. Supervisors will document the performance of their employees utilizing the Department approved performance evaluation form.
  - a. The supervisor will assign a performance level of exceeds expectations, meets expectations, or does not meet expectations on each criterion and on the overall evaluation.
  - b. If a particular criterion is not applicable to the position of the employee being evaluated, the supervisor will indicate this by marking "N/A" or "not applicable" by that item on the evaluation form.
  - c. Explanatory written comments will be required for each performance evaluation criterion regardless of the rating. [\(35.1.7\)](#)
6. Non-probationary employees whose performance in a particular evaluation criterion does not meet expectations must be notified in writing, at least 90 days prior to the end of the evaluation period, and within seven (7) days of detecting the performance deficiency(ies), so that the deficiency(ies) can be corrected prior to the evaluation. Some flexibility in the 90 day requirement will be allowed in instances where the unsatisfactory performance is observed less than 90 days prior to the evaluation. [\(35.1.6\)](#)

#### D. Performance Evaluations

1. Probationary Officers [\(35.1.3\)](#)
  - a. Probationary Officers in the Police Academy shall be evaluated on a daily basis by members of the Police Academy Staff. These evaluations are reflected in the Officers academic report. Academy Staff will report performance concerns directly to the Department's Training Sergeant.





- b. Provide written comments concerning the evaluation. These comments shall be attached to, and become part of, the evaluation. (35.1.10)
- c. Receive a copy of the completed performance evaluation once processing is complete. (35.1.11)

**E. Evaluation Approval and Assessment**

- 1. Each performance evaluation shall be reviewed and initialed by the evaluator's supervisor prior to the evaluator conducting the employee performance feedback.
- 2. Each performance evaluation shall be reviewed and signed by the evaluator's supervisor prior to being forwarded through the chain of command. (35.1.8)
- 3. Upon final approval of evaluations, the original document shall be maintained, with the exception of Reserve Officers, in the employee's file with the City of Bryan Human Resources Department in accordance with the state mandated records retention period. (35.1.13)
- 4. Reserve Officer Evaluations will be maintained in a Departmental file in the office of the Administrative Assistant in accordance with the state mandated records retention period. (35.1.13)
- 5. Supervisors completing performance evaluations shall in turn be evaluated by their supervisors regarding the quality, thoroughness, and objectivity of the ratings given to subordinate employees. (35.1.14)
- 6. The performance evaluation system shall be reviewed as needed by the Chief of Police and the Human Resources Manager or designee(s). The purpose of this review shall be to determine how well the system functions and, among other reasons, to:
  - a. Ensure evaluation criteria are realistic and applicable.
  - b. Identify instances of extreme ratings and the reasons for them.
  - c. Identify the number of contested evaluations and the reasons for them.

**F. Performance Evaluation Appeal Process**

- 1. An employee may appeal a performance evaluation with an overall rating of does not meet expectations through the official chain of command. Other ratings are not eligible for appeal. (35.1.12)
  - a. All appeals must be made in writing within seven (7) calendar days from the date the evaluation was presented to the employee.
  - b. Each supervisor, through the chain of command, has seven (7) calendar days to respond in writing to the appeal.
  - c. If the appeal is not resolved at the supervisory level, the employee may appeal, within seven (7) calendar days, to the next level of supervision, up to the Chief of Police. The decision of the Chief of Police shall be final on such appeals.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 24, 2005	<b>NUMBER</b> 03-16.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b>	<b>CALEA</b> <a href="#">22.3.2</a>
<b>SUBJECT</b> Physical Fitness		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish guidelines for the administration of the Department’s wellness program so as to encourage all members of the Department to develop and maintain a minimum level of fitness which may be necessary to perform the essential duties of police work.

**II. POLICY**

It is the policy of this Department to encourage employees to maintain a reasonable level of physical fitness and overall wellness. ([22.3.2](#))

**III. PROCEDURES**

**A. Evaluation Criteria**

1. Since physical fitness relates to an individual’s total physiological wellness, it involves measures of muscular strength, cardiovascular endurance, muscle tone, heart action and response to physical activity. To help employees assess their personal level of fitness, the Department will sponsor voluntary physical fitness assessments. The voluntary assessments take place once each calendar year and will be scheduled as a block of in-service training. Sworn employees who do not wish to participate in the testing will assume a normal duty assignment during the training block. The results will be scored by comparison with Cooper Standards. The time, date, and location of the in-service fitness assessment will be posted at the beginning of the calendar year. Employees will be reminded of the testing at least sixty (60) days in advance.
  - a. The “Cooper Standards” are a well documented, standardized, and validated database of fitness norms established by the Cooper Institute of Aerobic Research in Dallas, Texas. They are widely used as a benchmark for comparison to determine an individual’s level of fitness. A copy of the Cooper Standards is posted in the Department’s workout facility and reference library for reference of the required levels based on age and gender.

## **B. Physical Examinations**

1. Employees are not required to have a physical examination however it is advisable and encouraged to do so prior to starting an exercise program to determine any possible medical restrictions.
2. The Department will provide the opportunity annually for employees over the age of thirty-five to receive a comprehensive health assessment. These assessments will be scheduled through the Training Division.
3. Employees are encouraged to obtain annual health evaluation from an appropriate health provider.

## **C. Medical Screening**

1. All participants will be given a pre-screening test before evaluation by trained personnel, such as Bryan Fire Department personnel.
2. Participants who have medical concerns identified during the pre-screening by the Department or their physician will be required to obtain a medical release before participating in the fitness evaluation.
3. The pre-screening may consist of :
  - a. Resting heart rate.
  - b. Blood pressure.

**D.** All personnel who choose to participate in the annual physical fitness/wellness assessment process may be eligible for certain Incentive Awards based on their performance. The process includes a battery of tests with designated scoring criteria. While the criteria may show a strength or weakness in certain areas, this information is for the employee's benefit alone and no additional requirements will be made of the employee based on this assessment. The employee must provide the Physical Fitness Coordinator with the results so a Department average may be computed and incentives awarded. All Department employees are encouraged to participate in the process and to maintain a regular exercise program.

**E.** The desired general health and physical fitness criteria to be maintained by all employees will be established by those employees who score at the 50<sup>th</sup> percentile or above in each of the test areas.

## **F. Fitness Test Areas**

1. Employees interested in improving their fitness level are encouraged to consult the Department's Physical Fitness Coordinator for assistance.
  - a. Employees who score at the 50th percentile or above in EACH of the five test areas, with an overall aggregate average of at least 70%, will be recognized for their performance. The tests consist of the one and a half mile run or the option of a one mile walk test, the bent leg sit-up, the push up test, the 300 meter run, and the vertical jump.

- b. **Aerobic Capacity** - A major component of physical fitness/wellness is cardiovascular-respiratory (aerobic) endurance. The one and one-half mile run test and the one mile walk test are ideal ways to measure one's fitness in this area and participants will be given the option of taking either test. The one and a half mile run is completed by running/walking the distance as quickly as possible by the participant. The one mile walk test is completed by walking (one foot always in contact with the ground) the distance as quickly as possible by the participant.
- c. **Muscular Strength** - The second major component of physical fitness is muscular strength, which is a measure of muscular endurance. The test for this area will be a one minute push-up test and a one minute sit-up test.
  - (1) **Bent Leg Sit-Up Test** - The individual lies on their back with both knees bent and their fingers interlaced behind their head. The individual's feet will be held securely. By flexing the torso, touch elbows to knees and return to a full lying position, with shoulder blades touching the floor. The buttocks must stay in contact with the floor at all times. Resting as needed will be done in the sitting up position.
  - (2) **Push-Up Test** - The individual starts in the up position and the hands are placed on the floor at shoulder width. The push-up consists of lowering the chest to within fist level of the floor and then extending the arms to full length while keeping the back and knees straight and rigid. Resting as needed will be done in the up position.
- d. **Anaerobic Strength**- The third major component of physical fitness is one's anaerobic strength. The tests for this area consist of the 300 Meter run and the Vertical Jump.
  - (1) **300 Meter Run** – The individual starts on command at a clearly delineated starting point and runs 300 meters. The time is calculated from the command to begin until the individual crosses the finish line.
  - (2) **Vertical Jump** – The individual begins facing a wall with clearly delineated height measures. The individual has a maximum of three minutes to jump a maximum of three times, with the greatest height being the score of record.
- e. **Physical Fitness Incentive Awards**
  - (1) Department Incentive Awards are offered to encourage and reward those employees who have performed at or above the 50th percentile in EACH performance area tested. These awards are given once a year after the designated fitness/wellness test.
  - (2) These awards are subject to review and change as recommended by the Department's Physical Fitness Coordinator. The Physical Fitness Coordinator may recommend changes to these awards to the Departmental Awards Committee as the program progresses.
  - (3) A copy of incentive awards will be posted in the weight room and reference library.

## **G. Use of Departmental Exercise Facilities**

1. Employees using the weight room shall abide by posted rules/regulations.
2. Departmental exercise facilities will be maintained in a clean and orderly manner by those who utilize them. All individuals who use the exercise facility are expected to return weights and equipment to the designated areas.

3. Exercise equipment which is donated to the Department must be approved by the Department's Physical Fitness Coordinator prior to being used/installed in the Department's exercise facility.
4. The Physical Fitness Coordinator will periodically conduct inspections on the weight room equipment to ensure that it is safe for use. Any equipment found to be unsafe will be disabled, or a sign will be posted not to use the unsafe item/s. The fitness equipment vendor will be contacted to repair the unsafe equipment.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> July 12, 2005	<b>NUMBER</b> 03-17.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> EAP Informal Referral Employee Assistance Program Employee Mandated Referral	<b>CALEA</b> <a href="#">22.2.10</a> <a href="#">22.2.10a</a> <a href="#">22.2.10b</a> <a href="#">22.2.10c</a> <a href="#">22.2.10d</a> <a href="#">22.2.10e</a> <a href="#">22.2.10f</a>
<b>SUBJECT</b> Employee Assistance Program		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to describe program services available to employees through the City of Bryan Employee Assistance Program (EAP).

**II. DEFINITIONS**

**Employee Assistance Program (EAP)** – A program offered through the City of Bryan which provides confidential mental health assistance, drug and alcohol abuse assistance, financial and legal assistance for all employees and their dependents. [\(22.2.10.a\)](#)

**III. POLICY**

The Bryan Police Department values its employees, however it also recognizes that Department employees are subject to stresses that may impact work performance and expected conduct.

It is the policy of the Bryan Police Department to make available to employees an Employee Assistance Program (EAP) designed to assist in identifying and resolving concerns or problems, whether personal or job-related. [\(22.2.10\)](#)

**IV. PROCEDURES [\(22.2.10.b\)](#)**

- A.** The City of Bryan provides EAP services to its employees. EAP services are available for all employees and their immediate family members. [\(22.2.10.a\)](#)
- B.** Since the EAP provider for the City is subject to change, the company name or telephone number is not listed in policy. EAP contact information and brochures outlining services available may be obtained from the City of Bryan Risk Management Department or the Department’s Administrative Assistant. [\(22.2.10.b\)](#)
- C.** The City of Bryan EAP provides services to assess and/or address concerns or problems that may include, but are not limited to, emotional, behavioral, family, financial, legal, and/or mental health. [\(22.2.10.d\)](#)
- D.** The City of Bryan EAP is confidential unless release of information is required by law or written consent is provided by the client. Information concerning voluntary efforts may be released to the Department or the employee's supervisors when the employee authorizes such releases. [\(22.2.10.c\)](#)

**E.** Types of referrals: *(22.2.10.d)*

1. Informal Referrals - These are used when an employee approaches a supervisor with a personal problem and there are no apparent job performance issues at the time.
2. Employee Mandated Referrals - May be useful when the supervisor has a documented job performance decline over a period of time, and despite documented supervisory efforts, the employee has not achieved a minimum level of acceptable performance. The supervisor may recommend to the Chief, through the chain of command, that EAP assistance be required. *(22.2.10.d & e)*

**F.** Employee Mandated Referral Protocol *(22.2.10.e)*

1. A supervisor must submit written documentation and recommendation to the Chief through the chain of command. Only after the Chief receives the documentation and conducts a conference with the employee will the Chief of Police require the employee to submit to an "Employee Mandated Referral." This process allows the employee the opportunity to receive assistance in resolving job performance problems. Failure to comply may result in discipline up to and including dismissal.
2. The Chief of Police will refer the employee to the Human Resources Department to complete the required "Release of Information for Employee Mandated Referral" form and the "Employee Compliance with Treatment Guidelines" form. Once the paperwork has been completed and signed, the Human Resources Department will contact the EAP to open a case for the employee. The employee is responsible for contacting the EAP by a certain date set by the Human Resources Department and/or the Department.
3. The Human Resources Department is responsible for tracking the compliance of the employee in this referral and for keeping the appropriate supervisor and/or Chief of Police notified of the compliance and completion of any recommended treatment plan.
4. The employee's work status, if in question, will be determined as soon as practical after the initial assessment by the EAP and the appropriate supervisor and/or Chief of Police will notify the employee of this status.
5. The employee should contact their insurance plan administrator for any information about insurance reimbursement of treatment costs.
6. If an employee is non-compliant during any phase of the EAP mandated referral, the Chief will define the time frame that the employee has to become compliant.

**G.** Supervisors shall receive documented training on EAP services, the supervisor's role and responsibility, and identification of employee behaviors that would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance. *(22.2.10.f)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> February 15, 1988	<b>NUMBER</b> 03-18.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Conduct Code of Conduct Rules of Conduct Standards of Conduct	<b>CALEA</b> <a href="#">12.1.3</a> <a href="#">26.1.1</a>
<b>SUBJECT</b> Code of Conduct		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policy for the conduct of all members of the Bryan Police Department concerning performance of duty, exercise of authority, relationships with fellow members of the department, the general public, and other law enforcement organizations.

**II. POLICY**

It is the policy of the Bryan Police Department that employees, both sworn and non-sworn shall, at all times, conduct themselves in a professional and courteous manner, and exhibit only that conduct which reflects favorably on the Department.

**III. RULES OF CONDUCT**

**A. General Provisions.**

1. All Police Department employees shall be provided a copy of this order, and will be responsible for their familiarity and compliance with all provisions contained herein.[\(26.1.1\)](#)
2. All employees will be responsible for the completion of assigned duties and will be held accountable to their supervisors for the satisfactory performance of those duties.
3. Employees will have assigned duty hours and will be considered off-duty at all other times, unless specified by Department policy. The Department has the right, under certain circumstances, to recall any employee from off-duty status.
4. All employees will abide by applicable Rules of Conduct for their respective job classifications, i.e., sworn or non-sworn.

**B. Employee Declaration of Ethics.**

1. The employees of the Bryan Police Department are committed to a code of conduct that guides behavior and performance to ensure our professionalism is reflected in the activities and operation of the agency. As such, Bryan Police Department employees pledge to:

- a. Always remember we exist to serve the public.
- b. Treat everyone with dignity, respect and understanding, without regard to race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation, and assist them in a prompt, courteous manner.
- c. Maintain the highest standards of integrity, honesty, and impartiality in the performance of daily duties.
- d. Abide by all Federal and State laws, rules and regulations, local ordinances, and Department policies.
- e. Conduct ourselves in a manner that shall never bring discredit or embarrassment to the City of Bryan or the Bryan Police Department.
- f. Present ourselves in a professional manner by adhering to the authorized dress code for sworn and non-sworn employees.
- g. Ensure open lines of communication with all members of the Department.
- h. Extend professional courtesy and respect to everyone with whom we come in contact.
- i. Maintain confidentiality of information and never compromise our positions with the Police Department.
- j. Practice and promote teamwork and cooperation in all dealings with Police Department and City personnel.

**C. Duties and Powers for Sworn Personnel.**

1. All sworn personnel, regardless of rank, will comply with the following:
  - a. Officers will preserve the public peace, suppress all types of crime (including organized and vice), detect and arrest violators of the law, protect life and property, and enforce the laws of the State of Texas and the Ordinances of the City of Bryan.
  - b. Sworn supervisors may direct sworn subordinates to carry out the duties listed above. However, this does not relieve or preclude a sworn supervisor from taking appropriate action as a certified peace officer for the State of Texas.
  - c. Specific duty assignments and rank will not alter an officer's obligation to take police action in situations requiring immediate attention.

**D. Alcohol/Substance Abuse.** Employees, on or off-duty, will not intentionally abuse any controlled substance or legal substance that would impair them to such a state that would discredit the Department. Employees on or off-duty should recognize that excessive consumption of alcohol resulting in disorderly conduct or driving while intoxicated violates State and local law and behave accordingly. **(26.1.1)** Specifically:

1. Employees, while in uniform or wearing any identifiable part of the uniform, regardless of rank or position, will not consume any intoxicating substance or drug nor will they consume beverages which approximate the appearance or smell of an intoxicating beverage. Plain clothes officers may consume alcohol or non-alcohol beer or wine substitute on-duty while acting in an undercover capacity with prior approval from their supervisor.
2. Employees will not report to duty while impaired to any degree by the use of alcohol.
3. Employees will not use or possess for use any controlled substance, narcotic or dangerous drug in violation of any Federal, State or local law. (Employees may possess controlled substances, narcotics, or dangerous drugs for official law enforcement purposes, i.e., impound destruction, etc.)

4. Employees shall be granted all protection provided under the Americans with Disabilities Act and the Texas Civil Rights Laws. In working with employees who are taking medications that may impact their performance of essential job functions, supervisors shall be aware of the confidentiality and nondiscrimination provisions of the law.

**E. Assignment of Personnel.**

1. The Chief of Police retains the prerogative to direct the assignment of any Departmental employee. The Chief of Police may affect the transfers of any classified police employee up to and including the rank of Assistant Chief. Assistant Chiefs may affect the transfer of personnel within their own command with prior approval of the Chief of Police.
2. Two or more members of the same family will not be permitted to work under the direction of the same immediate supervisor on-duty. These members are also prohibited from working the same off duty jobs at the same time unless prior approval is granted by the Bureau Assistant Chief.
3. No employee will be permitted to directly supervise a member of their immediate family.

**F. Attention to Duty.**

1. Employees will maintain a professional approach to their duties at all times.
2. Employees shall treat Department facilities in such a manner as to preserve the appearance and condition of the facility. Offices, work spaces, and lounge areas shall be maintained in an orderly fashion at all times.
3. Employees will not sleep while on-duty or read newspapers or magazines while on-duty and in public view, unless such conduct is part of their assigned duties.
4. Employees, while on duty, shall not have in their possession, (except in the course of duty), read, distribute, display or circulate adult oriented literature which is defined as books, magazines, periodicals or treatises characterized by an emphasis on specified sexual activities which includes but is not limited to:
  - a. Human genitalia, pubic regions, buttocks, or breasts.
  - b. Acts of masturbation, sexual intercourse, sodomy or oral sexual contact with a human or an animal.
  - c. Fondling or other erotic acts involving human genitalia, the pubic region, buttocks or breasts.
5. Members of the Department are to conduct themselves in a professional and courteous manner at all times, remembering that we are here to serve our citizens and that our charge is to manage conflict, so as to preserve the peace. Although confrontation is a tool in law enforcement to uncover the truth, employees are to use this technique only when absolutely necessary and the application is reasonable.
6. Employees are to utilize their duty time in the furtherance of our mission and to enhance our law enforcement effort, by remaining on the constant lookout for the criminal element in our community and areas of assigned responsibility. Employees shall limit any personal business, to include the use of personal cellular telephones and pagers, to that which in no way interrupts the delivery of law enforcement and community service, as well as the productivity of the individual employee.

7. Employees will check their e-mail, voice mail, and physical mailboxes at least once during each tour of duty. They will return messages in an expeditious manner.
  8. Employees shall not disable either voice mail or e-mail without supervisory approval.
- G. Limitations of Conduct.** Violations of any of the following subsections shall constitute “conduct prejudicial to good order”(26.1.1)
1. Absence without Proper Leave
    - a. No employee shall be absent from duty without proper leave nor shall they be absent from duty without permission, except when unable to report for duty due to sickness or injury to him/herself, their immediate family, or other personal emergency. Employees will not leave their assigned duty post or job assignment without prior supervisory approval.
  2. Acceptance of Gifts, Rewards, or Gratuities
    - a. Employees will not solicit nor accept, either directly or indirectly, rewards for performance of duties and will not ask for or accept gratuities or use their position to seek favors of any kind. Gratuities include, but are not limited to, free or discounted food and/or beverages. Employees are not restricted from using coupons or discount cards that are available to the general public. Employees will not engage in any business transaction with a person in custody.
  3. Association with Suspects/Felons
    - a. Police Department employees shall not associate with any person(s) or organizations(s) which is (or is believed to be) under investigation for a felony offense, being sought by a law enforcement agency or is a known convicted felon or a member of a known criminal organization except in the performance of official duties. Associate means to frequently have contact with a person(s) and/or organization(s) as described.
  4. Call Out Responses
    - a. Police Department Employees who are “Called-Out” to perform duties at crime scenes, serious traffic accidents, or any similar investigation will respond in a timely manner, usually within one (1) hour.
  5. Chain of Command
    - a. All Police Department employees shall utilize the Department and City chain of command and comply with Department policies, grievance procedures, and protocols when attempting to resolve work related issues, except as otherwise authorized by law or City policy.
  6. City Limit Responsibilities
    - a. Police Department employees will not leave the City limits while on-duty unless on official business, in pursuit of a criminal or traffic violator, when traversing from one part of the City to another, when the shortest route is to pass temporarily through another city, or when prior authorization has been received by a supervisor.

**7. Civil Process Prohibition**

- a.** No employee will serve as a Civil Process Server, either on or off-duty, unless the City of Bryan is a party to the action or the employee is acting in an official capacity for the Bryan Municipal Court. This does not preclude a sworn officer from serving valid court orders, i.e., Orders of Protection, as long as the sworn officer has proper jurisdiction and authority from the issuing court and the order is relevant to a law enforcement function.

**8. Competent Discharge of Duties**

- a.** All Police Department employees shall perform their job duties in a professional and competent manner as expected by the department based upon any or all of the following:
  - (1)** Formal training.
  - (2)** In-service/On-the-job training.
  - (3)** Job specifications.
  - (4)** Performance standards.
  - (5)** Past established accepted practices.
  - (6)** Supervisory guidance and/or direction.

**9. Conduct – Personal**

- a.** Employees shall not engage in acts which are subversive to the good order and discipline of the Department, or acts which tend to bring discredit to the Department, even though such conduct is not specifically set forth in these rules.

**10. Conduct Unbecoming a Police Officer or Civilian Employee**

- a.** Police Department employees will not engage in any conduct unbecoming of a sworn officer or a civilian employee of the Bryan Police Department while on or off-duty. Conduct unbecoming is limited to, and defined as, any violation of Statute, Law, City Ordinance, and Department Policy, written procedure or acts which reflect discredit upon the employee or Department.

**11. Confidential Information**

- a.** No Police Department employee will release any confidential information, Police Department confidential business or investigation or circumstance, to any person or organization unless that person or organization is authorized by law to receive such. Releasing such information to unauthorized individuals or organizations will be considered neglect of duty and a possible violation of law.

**12. Conflicting or Illegal Orders (12.1.3)**

- a.** Employees who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, policy, procedure, or directive shall immediately inform the supervisor who issued the conflicting order. If the supervisor does not alter or retract the conflicting order, the order shall remain in effect. The employee shall obey the conflicting order and shall not be held responsible for violation of the previously issued order, rule, regulation, policy, procedure, or directive.
- b.** Employees shall not obey any order which they know or should know would require them to commit an illegal act. If in doubt as to the legality of an order, members

shall request the issuing supervisor to clarify the order in writing or to confer with higher authority.

### **13. Court/Administrative Appearances**

- a.** Employees shall be punctual in all court attendance and administrative hearing proceedings in which a subpoena or an appearance request has been properly issued and received. Employees will return all telephone calls received from prosecuting attorneys or attorneys representing the City of Bryan in a timely manner, as directed by a supervisor and in no case later than the end of the first working day following receipt of the message.

#### **(1) Proper Preparation Required**

- (a)** Employees will be properly prepared for all proceedings and will bring all of the necessary or requested evidence and/or paperwork to their scheduled appearance. Proper preparation includes a thorough review of the facts and circumstances surrounding the case for presentation before the court or administrative hearing.

#### **(2) Proper Attire Required**

- (a)** Employees shall wear proper attire during all pre-planned court proceedings. Proper attire is described as either cleaned and pressed police uniform shirt and long trousers or cleaned and pressed business attire. Employees should consult with the prosecuting agency as to which attire would be most appropriate for the proceeding.

#### **(3) Professional Conduct Required**

- (a)** Employees will conduct themselves in a professional and truthful manner when giving testimony in any administrative hearing or court proceeding.

### **14. Cowardice**

- a.** No sworn police employee of the Department shall display cowardice or fail to support their fellow officers in the performance of duty.

### **15. Courtesy**

- a.** All Police Department employees will be respectful, courteous and civil with the public and each other, and shall not use coarse, profane, or insolent language toward any individual. Sworn subordinate ranks and civilian employees will address sworn superior ranks by their appropriate titles.

### **16. Criticism**

- a.** An employee shall not destructively criticize the Department or its policies, programs, actions, fellow officers, or superior officers, or make any statements which tend to interfere with the reasonable management and discipline of the Department.

### **17. Derogatory Remarks or Acts**

- a.** Employees shall not speak, write, or act derogatorily to other members or persons outside the Department about official acts, orders, or instructions issued by a supervisor.

- b.** Employees shall not willfully, by written or spoken word, or by an act (except through the authorized grievance procedure), subvert or undermine the City of Bryan, the Bryan Police Department or its members, or any directive of the Department.
- c.** Employees shall be subject to disciplinary action for misconduct, neglect of duty, conduct prejudicial to good order and discipline or conduct unbecoming of the officer/civilian employee.

**18. Discrimination**

- a.** Employees should recognize that the City of Bryan is committed to a culturally diverse work place. Employees shall not discriminate against or harass other employees or the public on the basis of race, sex, ethnic background, disability, national origin, religion or sexual orientation.

**19. Dress Code Uniform Appearance**

- a.** All Police Department employees will adhere to the adopted dress code relevant to their specific assignments.

**20. Duty to Give Statement for Official Investigations**

- a.** During the course of any official investigation by the Department, all employees shall give a full, complete and truthful written response and/or oral statement, if requested.

**21. Duty to Submit to Examinations or Tests**

- a.** The Chief of Police or the Chief's designee may order employees to submit to polygraph examinations when the examination is specifically directed and narrowly related to a professional standards investigation being conducted by the Department. When the basis for the internal investigation is non-criminal and no corroborating evidence has been discovered, employees shall not be required to submit to a polygraph examination unless the complainant first submits to a polygraph examination. If the matter is criminal in nature, the employee may be required to submit to a polygraph examination without the complainant first submitting to a polygraph examination. Any information that is obtained from a required polygraph examination of a member may not be used against the member in any subsequent criminal proceedings.
- b.** The Chief of Police or the Chief's designee may order employees to submit to medical, ballistics, firearms comparison, chemical or other tests, photographs or line-ups that are specifically directed and narrowly related to a professional standards investigation being conducted by the Department. The results of a required submission to any such test may not be used against the employee in any subsequent criminal proceedings.

**22. Electronic System Usage**

- a.** The Police Department's voice mail system, electronic mail system, internet system, and mobile data computers (MDC), are tools provided to department employees to increase productivity. Employees will be permitted to use the Department's electronic communications systems for personal use as long as their personal use in no way interrupts the delivery of law enforcement and community service, or adversely affects the productivity of the individual employee. Employees shall not

use the Department's electronic communications systems in any manner which would violate City or Departmental policy or procedures.

**23. Employee Organization Activity**

- a.** Police Department employees will not solicit membership or otherwise conduct employee organization activities during working hours, except as provided in the applicable Memorandum of Understanding between the employee organization and the Police Department.

**24. False Statements, Records, etc.**

- a.** Police Department employees will not make false written statements, reports, records or cause to be recorded in any report, performance evaluation, or Department paperwork any false or misleading statements. This order does not preclude employees from including into a report any information given to them by a suspect, witness, victim, etc., that the employee believes to be false (i.e., suspect denies involvement in a crime and the employee knows this to be false).

**25. Financial Responsibility**

- a.** Employees shall not participate in irresponsible credit buying which results in their inability to pay their just debts when such behavior affects, or reflects upon the Department.
- b.** Employees shall notify the Department of any financial judgments awarded against them, or garnishments of wages not later than the next working day following notification of such action. (Settlements as opposed to judgments are exempt from the reporting requirement.)

**26. Firearms in Court**

- a.** Employees will abide by the respective court's rules regarding firearms inside the courtroom. If officers are not permitted to carry their weapon into the courtroom they must place the weapon inside a secure approved lock box.

**27. Games of Chance/Gambling**

- a.** Police employees will not engage in games of chance while on-duty, except with the approval of a supervising officer and in conjunction with an official investigation.

**28. Gossip**

- a.** Employees shall refrain from discussing the personal conduct or character of another employee to his/her discredit.

**29. Handling Monies and Property**

- a.** Employees shall deliver to the proper custodian any monies or other property coming into their possession which is not their own and make a report of the transaction.
- b.** Employees shall not appropriate for their own use any evidence or lost, found, stolen, recovered, or City property.
- c.** Members shall obtain permission from the Chief of Police or designee, before duplicating any keys or other City property.



**30. Insubordination**

- a.** All employees shall obey and properly execute any lawful order issued by a superior or a supervisor whether oral or written. *(12.1.3)*
- b.** Any employee whose speech or conduct to a superior or supervisor is discourteous, abusive, profane, or threatening shall be deemed to be insubordinate.
- c.** The term lawful order shall be construed as an order in keeping with the performance of any duty prescribed by law or rule of the Department, or for the preservation of order, efficiency, and proper discipline.

**31. Judicial Proceeding Participation**

- a.** Unless specifically asked by the prosecuting agency, employees shall not recommend punishment or reduction of sentence for any offense unless the employee is the arresting officer, the primary victim or a witness to the offense. Such recommendations will be accomplished only as a means of cooperation with the prosecuting agency in the interest of justice.

**32. Law Enforcement Identification**

- a.** All police employees will carry their Department issued Police Commission/Identification cards on their person at all times while on-duty. (Personnel working in an undercover capacity shall be exempt from carrying Police issued ID's if doing so would compromise the officer and/or the assignment.)
  - (1)** All uniformed personnel working off-duty shall have their Department issued Police Commission/Identification cards in their possession. Plain clothed, off-duty employees working in a law enforcement or security capacity shall carry their Department issued Police Commission/Identification cards.
  - (2)** Sworn officers of this Department that are off-duty, not employed in an off-duty capacity, and not in possession of an off-duty firearm, are not required to carry their Department issued Commission cards, however, may do so at their discretion. (Off-duty sworn personnel in possession of an off-duty firearm are required to carry their Department issued Commission cards.)
  - (3)** Except when impractical or where identity is obvious, sworn personnel shall identify themselves as Police Officers by displaying their Commission cards and badges.
  - (4)** All on-duty employees shall courteously provide their names, badge numbers and/or other forms of police identification upon the request of a citizen.

**33. Loss or damage to City Equipment**

- a.** Police Department employees will not abuse City equipment and will immediately report any damages or losses of City equipment to their supervisor. Any employee responsible for damaging City property may be required, at the discretion of the Chief of Police, to repair or replace such equipment if it has been proven that willful negligence has occurred. Employees committing such acts may also be subject to disciplinary action.

**34. Neighborhood Disputes**

- a.** Sworn officers shall not use their police authority to become involved in neighborhood disputes while off-duty. Such matters will be adjudicated by a disinterested party, including the appropriate law enforcement agency. Sworn officers shall not make arrests in their personal quarrels or those of family members or neighbors unless such action is warranted by the immediate threat of serious physical injury or excessive property damage.

**35. Nepotism/Fraternization Prohibited**

- a.** Employees shall not fraternize with, engage the services of, accept services from, or do favors for any person being investigated or arrested by the Department, for a felony offense, except as set forth in writing by the Chief of Police.
- b.** No department employee shall be permitted to conduct a performance review of, supervise, be placed within the direct chain of command of, or otherwise serve in a position to directly supervise, direct the work, or review the performance of another Department employee with whom he or she is related, is a relative of, is a household member of, or with whom he or she is having a romantic relationship.

**36. Pending Disciplinary Actions**

- a.** Supervisors shall not discuss any aspect of any pending disciplinary action against an employee with anyone other than another supervisory or management employee, the City's legal counsel or an authorized employee representative.

**37. Personal Information Notification**

- a.** The Department is entitled to have the correct name, address, and telephone number of every member and employee, and to know whom to notify in case of an emergency.
  - (1)** Employees will notify their immediate supervisor in writing within twenty-four hours of any change of address or telephone number.
  - (2)** All Police Department employees shall maintain a working telephone at their place of residence.

**38. Personal Involvement in Police Related Cases**

- a.** Sworn officers will not apply for a warrant on a crime of any kind committed against them while in an off duty status or file a civil suit for damages involving a Police Department matter without first consulting with the Office of the Chief of Police. Sworn officers will not investigate, nor will they use any of the rights, powers or privileges associated with their positions to further an investigation into a crime where they have a personal or business interest in the investigation, or a family member, a friend, a business acquaintance or associate are involved as a victim, witness, or suspect, unless authorized by the Chief of Police.

**39. Professional Conduct Required**

- a.** Employees will conduct themselves in a professional and truthful manner when giving testimony in any administrative hearing or court proceeding.

**40. Public Appearances**

- a.** Without proper authorization, members shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as a correspondent to a newspaper or periodical, release or divulge investigative information or any other matters of the Department while holding them selves out as representing the Department in such matters.

**41. Punctuality**

- a.** All employees shall be punctual in reporting for duty at the time and place designated by their supervisor, or as indicated on department schedules. Failure to notify their appropriate supervisor of any absences or delays prior to the start of the scheduled duty shift shall be considered neglect of duty and/or absence without leave.

**42. Recommendation for Professional Services**

- a.** No Police Department employee, while on-duty, will recommend the employment of any particular attorney, bail bond organization or individual, alarm company, wrecker, tow service, or other service for which a fee is charged to any citizen.

**43. Recording**

- a.** To promote trust and to allow those being recorded the opportunity to fully focus their attention on the topic of discussion, employees of this Department will only audio/video record the statements of another Department employee after advising the second or subsequent person in the conversation that their statements are being recorded. This declaration must be made each time a new person becomes involved in the conversation. The Chief of Police may authorize the covert recording of Department members for the purpose of internal or criminal investigations.

**44. Reporting Violations**

- a.** Police Department employees shall report any violations of Statute, Law, City Ordinance, Department Policy, written procedure or regulation to their immediate supervisor when the infraction is committed by another employee of the Department.

**45. Requirement to Take Action**

- a.** Off-duty sworn officers will take appropriate action and make necessary notification on felony offenses committed in their presence.

**46. Respect of Subordinates**

- a.** Supervisory personnel shall be respectful of subordinate personnel at all times, recognizing their position with the department and their personal dignity. Supervisors shall not use contemptuous words towards any subordinate.

**47. Respect of Superiors**

- a.** Employees shall be respectful of superiors at all times, recognizing their rank and obeying their lawful orders. Employees shall not use contemptuous words towards any superior.

#### **48. Rest and Meal Breaks**

##### **a. Rest Breaks**

- (1)** Employees will generally be allowed a maximum of two (2), ten-minute paid non-work rest periods during each work shift, as approved by a supervisor. However, if a supervisor determines that providing a non-work period would create an operational difficulty, there will be no entitlement to the rest period and it is not cumulative or compensable.
- (2)** Breaks will be divided with one break provided during the first half of a shift and the second break provided during the second half of shift. Breaks will not be taken during the first hour, or the last hour, of an employee's assigned shift. Under unusual circumstances, a supervisor can waive the one hour restriction.
- (3)** Time spent on a break is considered as on-duty time and employees are subject to call at any time. Officers will monitor their radio at all times and will respond to radio traffic as directed.

##### **b. Meal Breaks**

- (1)** An employee who is working an eight (8), nine (9) or twelve (12) hour shift in which the meal break is compensated by the employee's hourly wage may not take a meal break in conjunction with any other form of break. If an extension of time is necessary to complete a meal break, the employee's immediate supervisor must approve it.
- (2)** Time spent on a compensated meal break is considered as on-duty time and employees are subject to call at any time. Officers will monitor their radio at all times and will respond to radio traffic as directed. Officers that are required to respond to radio traffic during a meal break will be afforded the opportunity to resume their meal break if operationally possible. Meal breaks for shift assigned employees are not cumulative or compensable.
- (3)** Meal breaks will not be taken during the first two (2) hours, or the last two (2) hours, of an employee's assigned shift. Under unusual circumstances, a supervisor may waive the two (2) hour cap.
- (4)** Employees whose meal breaks are not compensated will have their meal breaks scheduled by their supervisor and approved by the chain of command. If an emergency requires an employee to miss the meal break or be called away from the break while on their own uncompensated time, they shall be compensated as appropriate.

##### **c. General**

- (1)** At no time will there be more than two (2) marked Departmental vehicles or three (3) uniformed employees at the same location for a break except for special approved meetings as authorized by the Chief of Police, an Assistant Chief or a Lieutenant. Each Assistant Chief may establish additional written guidelines that meet the needs and requirements of the activities associated with the particular Division as long as it does not conflict with this Directive or other City Administrative Regulations.

#### **49. Secondary Employment**

- a.** All employees will comply and adhere to General Order 13-06 that regulates secondary employment. Sworn officers should be cognizant that certain aspects of off-duty employment may also be addressed within other policies.
- b.** Employees shall act in a professional manner that does not detract from the professional image of the Bryan Police Department. Employees engaging in secondary employment shall adhere to all Department rules, regulations, General Orders, and special orders and policies. i.e., Use of Force, Uniform/Equipment, etc.

**50. Sickness/Illness/Injury Reporting**

- a.** Police Department employees who are unable to report to duty due to illness or injury will notify their supervisor at least sixty minutes prior to the start of their assigned shift. In the event that the employee's immediate supervisor is not available, the on duty supervisor will be contacted.

**51. Sleeping on Duty**

- a.** An employee shall not sleep while on a tour of duty.

**52. Tobacco Use**

- a.** Employees are prohibited from using any tobacco products while in the public view. This includes while on a call, detail, or other assigned or on-view activity. Employees will limit their tobacco use while on City property to only those areas specifically designated for use of tobacco products. Employees using tobacco products are responsible for cleaning any residue (cigarette or cigar butts, loose and/or partially burnt tobacco, or spit from the tobacco use) from city facilities or equipment. All Department vehicles are non-tobacco use vehicles.

**53. Untruthfulness**

- a.** No member shall knowingly make false or misleading statements to superior officers or professional standards investigators when questioned or interviewed.

**54. Unusual Incident Notification**

- a.** All Police Department employees shall advise their supervisors of any unusual activity, situation or problem the Department would logically have an interest.
  - (1)** Any Police Department employee who receives a moving vehicle citation or any employee who is involved as a witness, victim or suspect in any situation under investigation by another law enforcement agency, shall make notification, in writing, to their supervisor not later than the first work day following the date they are aware of their involvement.
  - (2)** All Police Department employees are to follow these rules of conduct and to encourage other employees to comply with these standards of conduct in the performance of their duties. Each employee has an ethical duty to report to their supervisors any unlawful acts committed on or off-duty by an employee.
  - (3)** Any Police Department employee sued for any act shall report this fact in writing to the Office of the Chief of Police through the chain of command not later than the first work day following the date they are aware of their involvement.
  - (4)** Any employee who has a need to display their department authorized or issued firearm in an off-duty capacity for any reason other than target practice or hunting, shall make notification to their supervisor as soon as possible after the

incident and in no case later than 24 hours following the incident. The employee shall submit a use of force report to their supervisor detailing the complete circumstances of the display not later than the first working day following the date of the incident.

**55. Use of City Equipment**

- a.** Police Department employees will utilize City owned or Department issued equipment for its intended purpose and refrain from use for personal reasons.

**56. Use of Position for Private Gain**

- a.** No employee shall use for private gain or advantage the badge, uniform, equipment, prestige, or influence of his/her position with the Department.
- b.** No employee shall use for private gain or advantage the time, facilities, equipment, or supplies of the City.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> April 12, 2004	<b>NUMBER</b> 03-19.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Sexual Harassment	<b>CALEA</b> <a href="#">26.1.3</a>
<b>SUBJECT</b> Sexual Harassment		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to define sexual harassment, to establish a Department policy prohibiting sexual harassment, and to establish complaint procedures for employees who feel they have been subjected to sexual harassment.

**II. DEFINITIONS**

**Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such is made explicitly or implicitly a term or condition of an individual's employment; or submission to or rejection of such conduct by an individual is used as a basis of employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

**III. POLICY**

It is the policy of the Bryan Police Department to prohibit sexual harassment by all employees at all levels and recognize that all employees have a right to work in an environment free from any type of discrimination. Therefore, all employees shall demonstrate respect for others and ensure that their behavior and remarks are free from offensive, intimidating or harassing actions, or comments. [\(26.1.3\)](#)

**IV. PROCEDURES**

**A. Sexual Harassment Complaints**

1. Department employees, who encounter or witness behavior which may be construed as sexual harassment from supervisors or fellow employees shall report complaints of sexual harassment directly to a supervisor of any rank or the Human Resources Department.
2. Department employees who encounter behavior which they find offensive, but in their view may not constitute sexual harassment, shall report complaints of offensive behavior directly to a supervisor of any rank or the Human Resources Department.

3. Hostile environment sexual harassment does not necessarily intend to discriminate or harm; many accused harassers actually believe that their behavior is funny, cute or attractive. What a harasser thinks, believes, or intends is not relevant to liability. What does matter is the victim's reasonable perception of what is offensive, intimidating, hostile or abusive behavior. The following is a partial list of behaviors which may be grounds for prompt, remedial action:
  - a. Abusing the dignity of an employee through insulting or degrading sexual remarks, epithets, slurs, jokes or conduct.
  - b. Visual conduct, i.e., leering, making sexual gestures, displaying sexually suggestive objects, pictures, cartoons or posters.
  - c. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
  - d. Physical conduct of a sexual nature, i.e., touching, grabbing, assault, impeding or blocking movements.
  - e. Threats, demands or suggestions that an employee's work status is contingent upon the employee's toleration of or acquiescence to sexual advances.
  - f. Retaliation against employees for complaining or participating in an investigation into the behaviors described above.
4. The Professional Standards Unit and/or the Human Resources Department shall receive and process all complaints of sexual harassment. In all cases the Professional Standards Unit and/or Human Resources Department shall assess each situation by conducting a prompt and confidential investigation and report the findings along with a recommendation through the proper chain of command.

#### **B. Supervisor's Responsibilities**

1. Supervisors have the duty to maintain the work place free from sexual harassment and intimidation. Supervisors shall set an example of appropriate behaviors through their own conduct at work and counsel their employees on prohibited behavior and department procedures for resolving complaints. The Department will take immediate and appropriate corrective action in cases involving complaints of sexual harassment. Corrective action includes, but is not limited to:
  - a. Discussing this policy in detail with subordinates.
  - b. Ensuring subordinates they can work in security and dignity and will not be required to endure any form of sexual harassment.
  - c. Collecting and reporting facts surrounding an allegation.
2. Supervisory personnel and co-workers are prohibited from taking any retaliatory actions toward an employee who has made a complaint of sexual harassment, or



participated in the investigation. Retaliation is illegal and considered serious employee misconduct, which is subject to disciplinary action. Supervisory personnel shall closely monitor the work environment to insure that retaliation does not occur.

3. Supervisors shall, through their chain of command to the Chief of Police, immediately report any complaints concerning sexual harassment or offensive behavior. The Chief of Police shall report the complaints of sexual harassment to the Human Resources Department who is responsible for implementing formal investigations.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> February 15, 1988	<b>NUMBER</b> 03-20.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Ceremonial Procedure	<b>CALEA</b>
<b>SUBJECT</b> Ceremonial Protocol		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish proper protocol for members during ceremonial occasions.

**II. POLICY**

Members shall adhere to the following protocol during ceremonial occasions.

**III. PROTOCOL**

**A. Presentation of National Colors**

1. Uniformed Personnel
  - a. Indoors: With or without headgear, stand at attention
  - b. Outdoors: With or without headgear, stand at attention, hand salute flag.
2. Civilian Attired Personnel
  - a. Indoors: Stand at attention, remove headgear if worn.
  - b. Outdoors: Stand at attention, place right hand over heart. If wearing headgear, remove and hold over heart with right hand.

**B. National Anthem**

1. Uniformed Personnel
  - a. Indoors: With or without headgear, stand at attention, face colors.
  - b. Outdoors: With or without headgear, stand at attention, face colors, hand salute.
2. Civilian Attired Personnel
  - a. Indoors: Remove headgear, if worn, stand at attention.
  - b. Outdoors: Face colors, stand at attention, remove headgear, if worn, and hold over heart with right hand. If no headgear worn, hold right hand over heart.

**C. Pledge of Allegiance**

1. Uniformed Personnel
  - a. Indoors: With or without headgear, stand at attention with right hand over heart.
  - b. Outdoors: With or without headgear, stand at attention, hand salute flag.
2. Civilian Attired Personnel
  - a. Indoors: Remove headgear, if worn, stand at attention with right hand over heart.
  - b. Outdoors: Remove headgear, if worn, stand at attention with right hand or headgear over heart.

**D. School Song/Prayer**

1. All Personnel
  - a. Stand at attention, remove headgear.

**E. Movement of Casket at “Military” Funeral**

1. Uniformed Personnel
  - a. Indoors: Stand at attention; remove headgear unless serving as a pallbearer.
  - b. Outdoors: With or without headgear, stand at attention, render hand salute as casket passes, or upon order of Honor Guard Commander.
2. Civilian Attired Personnel
  - a. Indoors: Stand at attention, remove headgear, if worn.
  - b. Outdoors: Remove headgear, if worn; stand at attention with right hand or headgear over heart.

**F. Police Funerals**

1. All Uniformed Personnel
  - a. Approved uniform is the dress uniform: long sleeve shirt and tie.
  - b. A strip of black tape shall be worn horizontally across the middle of the badge.
2. All Personnel
  - a. Observe protocol for military funeral during movement of the casket.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> August 18, 2005	<b>NUMBER</b> 03-21.1
<b>CATEGORY</b> Personnel Structure & Process	<b>INDEXED AS</b> Personal Appearance Grooming Standards Facial Hair Physical Fitness Hygiene Makeup Dress Standards	<b>CALEA</b> <a href="#">26.1.1</a>
<b>SUBJECT</b> Personal Appearance and Grooming Standards		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish standards governing the personal appearance, hygiene, and grooming of Department members.

**II. POLICY**

Members of the Department, while on-duty and/or representing the Department shall present a neat, clean, professional appearance. Members shall adhere to the standards established in this directive concerning personal appearance and grooming. [\(26.1.1\)](#)

**III. PERSONAL APPEARANCE AND GROOMING STANDARDS**

**A. Hair Standards**

1. Hairstyles worn by sworn officers shall be moderate, neat, clean, trimmed, and present a groomed, businesslike appearance. Hair shall not be worn in such a fashion as to interfere with the proper wearing of uniform headgear.
2. Male officers' hair may extend to the top of the shirt collar in the back (while the head is held in a normal, upright position), may cover no more than the top half of the ear, and shall not extend more than two inches from the head.
3. Female officer's hair shall not touch the shoulders while in uniform. If a female officer's hair is longer, it must be worn pinned up in a neat manner to meet this standard while on-duty and in uniform.
4. Hairstyles worn by non-sworn personnel shall conform to City policy regulating employee appearance.

**B. Beards and Mustaches**

1. Sworn officers shall be cleanly shaven while on-duty, unless exempted from this regulation due to assignment requirements or medical condition which prevents an officer from shaving. Any medical condition which prevents an officer from shaving must be verified by a medical doctor's written statement to that effect.
2. Mustaches that are neatly trimmed and do not extend significantly beyond or below the corners of the mouth are permitted. Handlebar and Fu Man Chu style mustaches are

prohibited unless the nature of the officer's assignment exempts him from this regulation with supervisor approval.

3. Non-uniformed sworn personnel have the option to wear a goatee contingent on the following conditions:
  - a. Officers shall respond in uniform if needed, at which time the goatee must be shaved.
  - b. The employee's supervisor has the authority to require grooming/shaving if he/she deems the appearance is less than professional or inappropriate for an assignment.
  - c. The goatee shall not exceed more than ½ inch from the corner of the mouth or 1 inch from the base of the chin.
  - d. The goatee must be neatly trimmed at a length of no more than ½ inch.
4. Non-sworn personnel shall conform to City policy which regulates employee appearance in this regard.

**C. Physical Fitness Standards**

1. Sworn personnel shall maintain an adequate level of physical fitness as determined by the Department, which will enable them to perform the duties as described in the applicable job description.

**D. Hygiene**

1. All members shall exercise good bodily hygiene and cleanliness.
2. Fingernails shall be clean and neatly trimmed so as not to present an unkempt appearance or interfere with the proper use and operation of any Department equipment.

**E. Cosmetics**

1. Makeup and fingernail polish worn by female officers shall be moderate and subdued so as to present a businesslike appearance.
2. Non-sworn personnel shall conform to City policy which regulates employee appearance in this regard.

**F. Dress Standards**

1. Uniformed officers shall conform to the uniform regulations established in General Order 03-22 (Uniform Regulations).
2. Non-uniformed officers and non-sworn personnel shall conform to dress standards established in General Order 03-23 (Non-Uniformed Clothing Standards).

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 10, 2004	<b>NUMBER</b> 03-22.1
<b>CATEGORY</b> Personal Structure & Process	<b>INDEXED AS</b> Dress Uniform Duty Uniform Summer Uniform Uniforms Winter Uniform	<b>CALEA</b>  22.2.8 26.1.1 41.3.4
<b>SUBJECT</b> Uniform Regulations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Department policy and regulations concerning the wearing of Department uniforms for sworn personnel.

**II. POLICY**

It is the policy of this Department that uniforms are to be worn and treated in a manner which will bring credit to our organization, as prescribed by the regulations contained in this directive. (26.1.1) The uniform worn by members of the Department is an important item of equipment which influences the prestige of the profession and the morale of the officers. The uniformed police officer is the most visible and recognizable representative of the City of Bryan. As such, it is imperative that an officer's uniform imparts a professional, competent image. When the uniform is worn with dignity and pride, officers will also tend to exhibit those traits.

**III. RULE / REGULATION**

- A.** All sworn personnel shall, regardless of assignment, maintain a regulation dress and duty uniform in serviceable condition unless exempted by the Chief of Police.
- B.** Uniforms, accessories, and insignia shall be worn in conformance with the regulations established in this general order. (41.3.4)
- C.** No clothing item, insignia, or equipment, other than those authorized by the Department shall be worn with the police uniform where it may be seen. (41.3.4)
- D.** Officers are permitted to wear the police uniform while off-duty only under the following circumstances:
  - 1. While in transit to, from, and during an official work assignment;
  - 2. While in transit to, from, and during authorized off-duty employment;
  - 3. While in transit to, from, and during an event an officer may attend as an authorized representative of the Department at which the wearing of a uniform would be appropriate.

- E.** While under suspension or on temporary limited duty an officer shall not wear a Department uniform or display a Department badge except as permitted by General Order 03-13 (Temporary Limited Duty).
- F.** Wearing uniform clothing items while off-duty and in civilian dress is prohibited.
- G.** Uniforms shall be inspected on a daily basis by supervisory personnel when officers report for duty assignments. Officers failing to meet the requirements of this order shall be made to comply before beginning a tour of duty. Any time lost will be deducted from the officer's time sheet or the officer will be required to make up the lost time to avoid loss of pay. [\(26.1.1\)](#)
- H.** Uniforms shall be clean and neatly pressed upon beginning a tour of duty. Trousers shall have a discernable crease in the front and back of both legs.
- I.** Any damage or excessive wear of any uniform or equipment item shall be reported immediately so that it may be repaired or replaced.

#### **IV. PROCEDURE FOR SWORN PERSONNEL [\(41.3.4\)](#)**

##### **A. Officer Dress, Duty, and Summer Uniforms**

###### **1. Dress Uniform**

- a.** The dress uniform is comprised of the following approved items:

- (1)** Service cap.
- (2)** Long sleeve uniform shirt.
- (3)** Uniform trousers.
- (4)** Necktie.
- (5)** Shoes with black socks or boots.
- (6)** Uniform insignia.
- (7)** Duty belt and equipment.
- (8)** Uniform dress jacket (Chief and Assistant Chiefs only).

- b.** Officers shall wear the dress uniform for official ceremonies of the Department such as funerals, memorial services, and other special occasions designated by the Chief of Police.
- c.** The dress uniform shirt shall have attached all authorized accessory items and insignia as required. Service award ribbons shall be worn on the dress uniform.
- d.** Epaulette and pocket buttons on the dress uniform for sergeant and above shall be gold-tone.

###### **2. Duty Uniform**

- a.** The duty uniform is comprised of the following approved items:

- (1)** Long or short sleeve uniform shirt.
- (2)** Black T-shirt.
- (3)** Uniform trousers.
- (4)** Shoes, boots, or athletic shoes.
- (5)** Socks.
- (6)** Uniform insignia.
- (7)** Duty belt and equipment.

- b. Officers may choose to wear either the long sleeve or short sleeve uniform shirt on a daily basis, depending on the weather. The intent is to permit officers to dress according to the temperature and weather conditions.
- c. The duty uniform shirt will have attached a metal badge and name plate. Service award ribbons and city service pins are optional to wear on the duty uniform.

**3. Summer Uniform**

- a. The summer uniform is comprised of the following approved items:
  - (1) Short-sleeve uniform shirt with badge and name plate or;
  - (2) Short sleeve knit shirt with cloth badge and name tape.
  - (3) Uniform shorts.
  - (4) Athletic shoes capable of holding a shine (no high top athletic shoes or boots).
  - (5) Black, ankle or crew type socks that extend no higher than mid-calf.
  - (6) Duty belt and equipment.
- b. Officers in field assignments may choose to wear the summer uniform on a daily basis, depending on the weather. The intent is to permit officers to dress according to the temperature and weather conditions.
- c. Supervisors may prohibit the wearing of the summer uniform in situations when it is deemed inappropriate.

**B. Headgear**

- 1. The regulation headgear is a service cap with removable cover and black visor.
  - a. The cap cover for all ranks shall be dark navy to match the uniform.
  - b. The cap band, buttons, and insignia for officers in the rank of sergeant and above shall be gold.
  - c. The cap band, buttons, and insignia for officers shall be silver.
  - d. The cap band for probationary officers shall be black. The buttons and insignia shall be silver.
  - e. The cap insignia shall be worn in the center of the front of the hat cover with the top of the shield aligned with the crease at the top edge of the cap cover.
- 2. The service cap shall be worn centered and straight with the tip of the visor in line with the eyebrows.
- 3. The service cap may be worn at the officer's discretion during the normal tour of duty; however, the service cap should be available to the officer in the event of inclement weather or special assignment.
- 4. The service cap shall be worn at funerals, official ceremonies, and other occasions as deemed appropriate by the Department.
- 5. Optional headgear
  - a. Approved optional cold weather headgear shall consist of one of the following non-issue items;
    - (1) Troopers cap, dark navy or black in color.
    - (2) Knitted watch cap, dark navy or black in color.
  - b. Baseball caps are authorized for wear by uniformed officers under very limited circumstances. Baseball caps are a non-issue item and must be dark navy or



black in color. Baseball caps may be worn when the officer will be working outdoors, exposed to the elements for long periods of time under conditions unsuitable for wearing the regulation headgear. (For example: a ground search for a missing child, traffic control, etc.)

**C. Uniform Shirts**

1. The authorized uniform shirt is the Departmental approved uniform shirt, long or short sleeve, or the Departmental approved knit shirt, short sleeve. Uniform shirts are an issued item.
2. Uniform shirt buttons shall be dark navy or black in color. All buttons shall be buttoned except for the top button of both the long and short sleeve shirts.
3. Uniform shirts shall display two regulation Bryan Police Department patches, one on each sleeve, affixed approximately one inch below the shoulder seam and centered on the crease of the sleeve.
4. Uniform shirts shall be neither baggy nor so tight that freedom of movement is inhibited. Any tailoring shall be done at the side seams, with no darts or tucks taken in the back. Shirt pockets shall not be over-stuffed as to prevent the pocket flap from lying flat.
5. Longevity service stripes shall be affixed to the long sleeve uniform shirts. Service stripes shall be affixed approximately one inch above the cuff seam at a forty-five degree angle to the sleeve crease. Each service stripe shall represent four years of service with this Department.

**D. Uniform Pants**

1. The authorized uniform pants are the Departmental approved uniform pants. Uniform pants are an issued item.
2. Uniform pants shall be no shorter than two inches above the top of the heel when standing erect.
3. Uniform pants shall have no more than one half inch break in the front.
4. Uniform pants shall not be baggy or excessively tight.

**E. Uniform Shorts**

1. The authorized uniform shorts are the Departmental approved uniform shorts. Uniform shorts are an issued item for field assignment officers.
2. Uniform shorts shall be no shorter than two inches above the top of the knee when standing erect.

**F. Ties and Tie Tacks**

1. The authorized uniform tie for male officers shall be a standard clip-on neck tie dark navy in color to match the uniform shirt and pants.
2. Female officers may wear either the same uniform tie as male officers or may wear a crossover style tie of dark navy to match the uniform shirt and trousers.

3. All officers shall wear a tie when wearing the long sleeve uniform shirt to court, funerals, or other dress occasions. At all other times, the wearing of the uniform tie with the long sleeve shirt is optional. Ties are an issued item.
4. Tie tacks, bars, or pins shall be of a conservative nature. Longevity award pins may be worn as a tie tack. This is a non-issued item.

#### **G. Footwear**

1. Shoes/Boots must be black, round toed, and of a material to hold a shine, with no ornamental pattern on the top of the shoe or boot.
2. Athletic or tennis shoes are permitted for work purposes (not to be worn on formal occasions) and must comply with other standards (black in color, leather or leather-like material, capable of holding a shine, no discernible markings, trademarks, or other symbols).
3. Footwear is a non-issue item except for those assignments designated by the Chief of Police as warranting exception due to the specialty of the assignment or excessive wear and tear incurred, e.g. bike footwear, TRT footwear, etc.

#### **H. T-Shirts and Socks**

1. When wearing uniform shirts or knit shirts, officers shall wear an undershirt. The undershirt shall be a clean, black, crew neck T-shirt. The visible portion of the T-shirt shall not be worn or stretched out of shape causing an unkempt appearance. T-shirts are a non-issued item.
2. Socks worn with the duty or dress uniform while wearing low cut shoes shall be black in color, in good condition, and of sufficient height so as not to expose the leg when sitting or kneeling. Socks are a non-issued item.
3. Socks worn with the summer uniform shall be black, ankle type but of such length as to be visible, or black, crew type socks extending no higher than mid-calf. These socks are a non-issued item.

#### **I. Uniform Insignia**

1. Department approved and issued uniform insignia shall include:
  - a. Police badges;
  - b. Name plates/Name tapes;
  - c. Shoulder patches;
  - d. Rank insignia;
  - e. Service awards;
  - f. Longevity stripes;
  - g. Other insignia approved by the Chief of Police.
2. Police Badges
  - a. The issued police badge shall be worn in the badge holder above the left pocket of the uniform shirt. The bottom tip of the badge shall be no lower than the top edge of the uniform pocket flap. Metal badges will only be worn with metal name plates.

- b.** The badge for officers shall be silver-tone.
  - c.** The badge for the rank of sergeant and above shall be gold-tone.
  - d.** Outerwear, including raincoats and jackets shall display an embroidered cloth badge permanently affixed to the left breast of the garment. Embroidered badges will only be worn with embroidered name tapes.
- 3.** Name Plate & Name Tape
  - a.** All uniformed officers shall display a name plate on the uniform shirt. The name plate shall be approximately 2-1/2 inches and 5/8 inch wide. The name plate shall be engraved with the officer's last name, preceded by the officer's first name or initials.
  - b.** The name plate shall be worn centered above the right shirt pocket with the bottom of the nameplate touching the top seam of the shirt pocket. Metal nameplates will only be worn with metal badges.
  - c.** The embroidered cloth name tape is mandatory for wear with the optional summer uniform and canine uniform. The name tape will be affixed in approximately the same position as the name plate worn on the uniform shirt. Embroidered name tapes will only be worn with embroidered badges.
- 4.** Shoulder Patches
  - a.** Departmental shoulder patches shall be worn on both sleeves of the uniform shirt, jacket, and sweater.
  - b.** Shoulder patches shall be affixed to the sleeve approximately one inch below the shoulder seam, centered on the crease of the sleeve.
  - c.** Shoulder patches shall not be worn on raincoats.
- 5.** Rank Insignia
  - a.** The Chief of Police shall wear four gold stars on each collar. Rank insignia shall be worn with stars pointed up, centered between the top and bottom of the collar and parallel to the collar stay on all shirts.
  - b.** Assistant Chiefs shall wear a single gold star on each collar. Rank insignia shall be worn with the star pointed up, one inch from the front of the collar and centered between the top and bottom of the collar on all shirts.
  - c.** Lieutenants shall wear a single gold bar on each collar. Rank insignia shall be worn with the bottom of the collar bar parallel to the collar seam and centered between the top and bottom of the collar on all shirts.
  - d.** Sergeants shall wear gold chevrons on each sleeve of the shirt, centered one-half inch below the shoulder patch.
- 6.** Service Awards
  - a.** Service award ribbons shall be worn centered one-half inch above the name plate on the uniform shirt. Up to two ribbons may be worn side by side on a ribbon holder. If more than two ribbons are worn, additional ribbons shall be worn centered immediately above the first two ribbons.
  - b.** Service award ribbons shall be worn with the highest award toward the centerline of the uniform.
  - c.** A maximum of six (6) ribbons may be worn.
  - d.** See also General Order 03-04 (Service Awards Program)

**7. Other Approved Insignia**

- a.** A City service pin may be worn as a tie-tack or may be worn at the top of the right shirt pocket flap, centered below the name tag.
- b.** Unit insignia shall be worn centered one-half inch above the name plate or service awards (if present) on the uniform shirts. Up to two unit insignia may be worn side by side.
- c.** Field Training Officer insignia shall be worn centered one-half inch above the name plate and one-half inch below service awards (if present) on the uniform shirts
- d.** Other insignia, not to exceed more than one approved pin per pocket flap, may be worn as approved by the Chief of Police.

**J. Duty Belt System**

- 1.** The authorized uniform belt systems are the Departmental approved issued items as follows:
  - a.** The duty belt system for officers, sergeants, and lieutenants shall be the Departmental approved cordura duty belt system or equivalent.
  - b.** The duty belt system for Assistant Chiefs and the Chief of Police shall be the Departmental approved plain leather duty belt system or equivalent.
- 2.** The Department issued duty belt shall be worn at all times by uniformed officers when on-duty in a public place or in view of the public.
- 3.** Duty belts shall be worn so as not to expose the inner belt beneath.
- 4.** Duty belts shall be kept in place with a sufficient number of belt keepers or by hook and loop fasteners on the inner belt.
- 5.** Only those items approved by the Department shall be worn on the duty belt.
- 6.** Other inner belts and duty belts are authorized if they are equal in appearance to the authorized belts. Equal in appearance means structured in the same manner, presenting the same overall appearance in terms of shape and color as the Department issued inner and duty belts.

**K. Duty Belt Equipment**

- 1.** Department approved duty belt shall include, as a minimum:
  - a.** Handgun holster
  - b.** Ammunition carriers
  - c.** Handcuffs and case
- 2.** Belt Keepers
  - a.** Officers shall wear a minimum of four belt keepers to secure the duty belt in place. If the inner belt and duty belt are both fitted with hook and loop fasteners, keepers need not be worn.
  - b.** All keepers shall be uniform in appearance, except that both single and double wide keepers may be worn at the same time as long as they are matching in appearance otherwise.



5. Officers are authorized to wear a black military style sweater. The sweater will have a badge tab and nameplate tab. Shoulder patches shall be affixed approximately one inch below the shoulder seam as on the jacket. Sweaters are a non-issued item.
6. Officers are authorized to wear a black turtleneck as an undershirt with the long sleeve uniform shirt in cold weather. Tie regulations under section F(3) are applicable for dress occasions.

**M. Wet Weather Gear**

1. The Department issued wet weather gear is the Departmental approved full-length black/orange reversible raincoat with “BRYAN POLICE” stenciled on the back of the orange side in large black letters for identification purposes.
  - a. An embroidered cloth badge shall be permanently affixed to the left breast of the raincoat.
  - b. Shoulder patches shall not be worn on wet weather gear.
2. Optional rain boots and shoe covers may be worn by officers. Rain boots and shoe covers shall be black in color.
3. Raingear should be worn at the officer’s discretion during periods of inclement weather.

**N. Gloves**

1. The Department issued gloves are the “Hatch”, specialist neoprene glove, black in color.
2. Gloves may be worn by officers at any time of year as protection from needle sticks or other hazards.

**O. Miscellaneous Equipment**

1. Equipment items which are authorized as part of the duty belt system to be worn as the needs of the officer dictate. These include:
  - a. Portable radio and holder
  - b. Expandable baton and case
  - c. Oleoresin Capsicum spray and holder
  - d. Flashlight and holder
  - e. Folding knife and holder
  - f. Rubber gloves and holder
  - g. Pager and holder
  - h. Cellular telephone and holder
2. Holders for all the above authorized items must be black in color.
3. Officers shall avoid carrying an excessive number of keys on the gun belt.

**P. Personal Items**

1. Jewelry
  - a. Jewelry that is visible shall be limited to conservative watches, finger rings, and tie tacks.

- b. Female officers may wear conservative earrings or posts that do not dangle or hang from the ear lobes.

**2. Eyeglasses and Sunglasses**

- a. Eyeglasses and sunglasses shall be conservative in style.
- b. Reflective or mirrored sunglasses are permitted as long as the officer removes them when making contact with the public.

**Q. Required Equipment**

**1. Officers assigned to uniformed patrol duty shall be outfitted with the following items while on-duty:**

- a. Regulation uniform
- b. Body armor
- c. Duty belt system
- d. Authorized handgun and holster
- e. Two extra magazines of ammunition and carrier
- f. Handcuffs and case
- g. Expandable baton and case
- h. Flashlight and holder
- i. Department identification card
- j. Valid Texas driver license
- k. Miranda warning card
- l. Notebook, pens, pencils
- m. Reporting forms
- n. Citation book

**2. Officers in uniform who are not assigned to patrol duty shall be outfitted with the following while on duty:**

- a. Regulation uniform
- b. Duty belt system
- c. Authorized handgun and holster
- d. Two extra magazines of ammunition and carrier
- e. Handcuffs and case
- f. Department identification card
- g. Valid Texas driver license
- h. Miranda warning card

**V. PROCEDURE FOR NON-SWORN PERSONNEL**

**A. Intake Specialist Duty Uniform**

**1. Duty Uniform**

- a. The duty uniform is comprised of the following approved items:

- (1) Long or short sleeve Departmental approved shirt.
- (2) Uniform trousers.
- (3) Shoes, boots, or athletic shoes.

- b. Intake Specialists may choose to wear either the long or short sleeve uniform shirt on a daily basis, depending on the weather. The intent is to permit dress according to the temperature and weather conditions.

- c. Uniform Shirts
  - (1) The authorized, issued uniform shirt is the Departmental approved shirt, long or short sleeve.
  - (2) All buttons, if applicable, shall be buttoned except for the top button of both the long and short sleeve shirts.
- d. Uniform Pants
  - (1) Uniform pants shall be black in color and shall be no shorter than two inches above the top of the heel when standing erect. Uniform pants shall not be baggy or excessively tight.
  - (2) Uniform pants shall be purchased by the employee. A yearly allowance as determined by the Chief of Police will be provided.
- e. Footwear
  - (1) Shoes/Boots must be black. Footwear is a non-issued item.
  - (2) Athletic or tennis shoes are permitted for work purposes and shall have no discernible markings, trademarks, or other symbols).

**B. Code Enforcement Officer Duty Uniform**

**1. Duty Uniform**

- a. The duty uniform is comprised of the following approved items:
  - (1) Long or short sleeve Departmental approved shirt.
  - (2) Uniform trousers or shorts.
  - (3) Shoes, boots, or athletic shoes.
- b. Code Officers may choose to wear either the long or short sleeve uniform shirt on a daily basis, depending on the weather. The intent is to permit dress according to the temperature and weather conditions.
- c. Uniform Shirts
  - (1) The authorized, issued uniform shirt is the Departmental approved shirt, long or short sleeve. Uniform shirts shall have “City of Bryan Code Enforcement” and “Police Department” embroidered over the left pocket.
  - (2) All buttons shall be buttoned except for the top button of both the long and short sleeve shirts.
- d. Uniform Pants
  - (1) Uniform pants shall be casual style trousers and shall be no shorter than two inches above the top of the heel when standing erect. Uniform pants shall not be baggy or excessively tight.
  - (2) Uniform pants shall be purchased by the employee. A yearly allowance as determined by the Chief of Police will be provided.
- e. Uniform Shorts
  - (1) Uniform shorts shall be conservative in style and shall be no shorter than two inches above the top of the knee when standing erect.



- (2) Uniform shorts shall be purchased by the employee. A yearly allowance as determined by the Chief of Police will be provided.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 15, 1988	<b>NUMBER</b> 03-23.1
<b>CATEGORY</b> Personal Structure & Process	<b>INDEXED AS</b> Non-Uniformed Clothing Plainclothes	<b>CALEA</b> <a href="#">26.1.1</a>
<b>SUBJECT</b> Non-Uniformed Clothing Standards		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish a dress code for non-uniformed personnel.

**II. POLICY**

As a representative of the City of Bryan, employees should present a positive professional image to our customers and each other. Our values must include quality service, being worthy of trust, and demonstrating mutual respect. An employee’s appearance can impact our citizen’s perceptions of the City relative to these values.

This policy establishes “business casual” as the foundation of our professional dress policy. This means that, on normal business days, an employee will wear “business casual” attire. The need to dress more formally in “business (formal) attire” may be required based on job assignments, duties and where there is a need to present a more formal professional appearance. At times, it may be necessary to adjust the style of clothing depending on the change of seasons, degree of customer contact, the nature of work, etc.

**III. NON-UNIFORMED CLOTHING STANDARDS**

**A. Business Casual Examples**

1. Appropriate Examples
  - a. Slacks (twill and khaki style)
  - b. Blazers or Sport Coat
  - c. Sweaters, cardigans
  - d. Knit shirts, polo shirts, City logo shirts
  - e. Sports shirts with collar (short or long sleeve)
  - f. Banded collar shirts
  - g. Vests
  - h. Skirts
  - i. Suit-style skorts (“only” if accompanied with a coat jacket)
  - j. Dresses

- k.** Jeans and tennis shoes can be worn “only” if in a field environment or as the assignment dictates

**2.** Inappropriate Examples

- a.** Shirts with slogans or large emblems that may be deemed inappropriate by citizens/customers and/or the supervisor/manager
- b.** Strapless shirts
- c.** Shirts or dresses with spaghetti straps and/or that reveal bare backs or midriffs
- d.** Un-tucked tailed shirts
- e.** Tank tops
- f.** Sweat suits or wind suits
- g.** Shorts
- h.** Short skirts (more than five inches above the knee)
- i.** Skirts with revealing splits or slits
- j.** Capri pants
- k.** Leggings
- l.** Floppy shoes (i.e., “flip flops” or thongs)
- m.** Overalls
- n.** Skorts (except for suit-style accompanied with a coat jacket)
- o.** Provocative or revealing attire
- p.** Lip, nose or any earring(s) on a visible part of the body (excluding ears)
- q.** Lapel pins that may be deemed inappropriate by citizens/customers and/or the supervisor
- r.** Shoes not in good repair and/or inappropriate for safety environments

- 3.** Jeans are allowed to be worn on Fridays as long as they are appropriate and in good condition. Managers have the discretion to deny and/or restrict this policy for their specific division.

**B.** Business (Formal) Attire Examples

**1.** Appropriate Examples

- a.** Traditional 2 or 3 piece suits with tie
- b.** Slacks and sports coat, dress shirt with collar
- c.** Dress shoes, leather boots
- d.** Business dresses, coat dresses
- e.** Pant suits
- f.** Blouses
- g.** Shells (that are not revealing)
- h.** Skirts

**2.** Inappropriate Examples

- a.** Anything listed as inappropriate for business casual
- b.** Shoes without appropriate hosiery or socks
- c.** Jeans

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> December 1, 1988</p>	<p><b>NUMBER</b> 03-24.1</p>
<p align="center"><b>CATEGORY</b> Personal Structure &amp; Process</p>	<p><b>INDEXED AS</b> Uniform Cleaning Laundry Service Dry Cleaning</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Uniform Cleaning</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure for the cleaning and maintenance of Department owned uniforms.

**II. POLICY**

Officers shall have all Department issued uniforms and other Department issued garments professionally cleaned by the cleaning service under contract with the City. This service is provided at no cost to the officer. Department issued uniforms should not be machine washed without sufficient justification.

**III. PROCEDURES**

**A.** The following Department issued items are covered by this directive:

1. Uniform shirts
2. Uniform trousers
3. Uniform neckties
4. Uniform coats and jackets
5. Non-issued uniform sweaters are covered by this directive

**B.** Officers are encouraged to wear uniforms as many times as possible between cleaning, however, if a uniform needs to be cleaned after a single wearing, it should be cleaned.

**C.** To be cleaned, uniforms shall be taken to the designated cleaning service and left under the officer's name and badge number.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> July 2, 2003	<b>NUMBER</b> 03-25.1
<b>CATEGORY</b> Personal Process & Structure	<b>INDEXED AS</b> Uniform Committee Equipment Committee	<b>CALEA</b>
<b>SUBJECT</b> Uniform and Equipment Committee		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline the Department’s Uniform and Equipment committee providing Department personnel a process for suggesting additions, deletions or changes to current uniforms and equipment.

**II. GOAL**

To provide Bryan Police Department employees with functional and up to date uniforms and equipment and to improve the quality of service, morale and professional appearance to the community by researching, reviewing and recommending changes based on current technology, Department needs and public perception.

**III. COMMITTEE’S OBJECTIVES**

- A.** To maintain committee membership with a representation of the Department.
- B.** To create a submission format for employees to use.
- C.** To review submitted requests and respond within a reasonable amount of time, usually within 30 days, of the meeting with a decision based on 2/3 of committee membership.
- D.** To review all submitted requests from Department employees and make an informal recommendation to the command staff and Chief of Police for final approval.
- E.** To coordinate all research with City of Bryan resources including the Purchasing Department to ensure compliance with all contract agreements.

**IV. REVIEW PROCESS**

- A.** Any member of the Department may submit a written proposal for review by the committee.
- B.** All proposed revisions, deletion or additions to uniforms and equipment should be forwarded to the committee for review unless deemed impractical or a safety concern by a Bureau Commander.

- C.** All proposals should be submitted to a committee member using the following format either electronically or in written form. The submission should address all categories listed below that are pertinent to the change, addition or deletion. The submitting employee is responsible for initial research of the submission.
- D.** The committee chair may assign the submission for further research by a committee member and/or the original submitting employee.
- E.** The committee will make a recommendation to command staff based on a 2/3 consensus of committee membership.
- F.** Committee membership should be reviewed annually to ensure a reasonable representation of the entire Department is maintained. Selection of the members shall be made by the Chair and Vice Chair and shall consist of employees from the various divisions within the department.
- G.** Submissions shall be made on Equipment and Uniform Request Format form / BPD form # 6-2003 by completing the form and submitting it to the committee chair or vice chair.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 12, 2004	<b>NUMBER</b> 04-01.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Crime Prevention	<b>CALEA</b> 45.1.1 45.1.2 45.2.1 45.2.2
<b>SUBJECT</b> Crime Prevention		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this policy is to define the Department’s commitment to community involvement and the prevention of crime.

**II. POLICY**

The Bryan Police Department is committed to the development and perpetuation of community crime prevention programs. These programs are designed to promote community involvement and reduce the opportunity for the commission of criminal offenses. While the prevention of crime is the responsibility of both the police and the citizenry, the police must assume the leadership role in planning and developing the community response to the crime problem.

The Department has established a primary coordinator for the specific purpose of oversight in crime prevention efforts; however, each officer and component within the agency is responsible for achieving the crime prevention mission of the Department.

**III. PROCEDURES**

**A.** The Support Services Division Lieutenant shall be responsible for managing the Department’s crime prevention program. The Support Services Division Lieutenant shall:

1. Ensure that the Department’s crime prevention program:
  - a. Addresses crime by type of criminal activity and geographic area based on current crime data and analysis. *(45.1.1a)*
  - b. Is conducted in a manner that addresses the community’s perceptions and misperceptions of crime. *(45.1.1b)*
  - c. Is evaluated on a regular basis to gage their effectiveness. *(45.1.1c)*
2. Establish formal community organizations and other community groups where a need has been identified. *(45.2.1h)*
3. Create realistic and effective policies regarding community relations and interaction for the Department. *(45.2.1c)*



4. Publicize the Department's objectives, problems, and successes in the area of community relations. *(45.2.1d)*
  5. Enhance Department practices bearing on police-community relations. *(45.2.1f)*
  6. Ensure concerns voiced by the community are communicated to the department and identify training needs that arise from citizens concerns. Citizen input may be derived from but is not limited to: *(45.2.1e, g)*
    - a. Annual Citizen Survey.
    - b. Citizen Police Academy.
    - c. Citizens Advisory Committee meetings.
    - d. Neighborhood Associations meetings.
    - e. Town Hall and Community meetings.
    - f. Citizens involved in PSU investigations.
  7. Training needs may also be identified through interviews with employees involved in internal investigations and supervisors. *(45.2.1g)*
- B.** The Crime Prevention Officer shall be responsible for establishing liaison with and disseminating crime prevention information to community organizations and groups. This includes but is not limited to: *(45.1.2a)*
1. Presentations in Bryan middle schools and high schools.
  2. Presentations to Blinn College and A&M University student organizations.
  3. Establishing crime prevention components within the Neighborhood Association Program. *(45.1.2)*
  4. Establishing crime prevention components within the Downtown Bryan Economic Development Association and other local businesses. *(45.1.2)*
  5. Conducting business and home security surveys.
  6. Presentations to the Citizens Police Academies.
  7. Training and educating employees in crime prevention techniques.
- C.** Resources available for Crime Prevention efforts include, but are not limited to:
1. Public Information Officer
  2. School Resource Officers
  3. D.A.R.E. Officers
  4. Certified Crime Prevention Specialists
  5. Patrol Division Officers

6. Criminal Investigation Division Detectives
  7. Traffic Safety Unit Officers
- D.** The Crime Prevention Officer shall prepare and submit a quarterly report to the Office of the Chief that includes the following elements:
1. A description of current concerns voiced by the community. *(45.2.2a)*
  2. A description of potential problems that have a bearing on law enforcement activities within the community. *(45.2.2b)*
  3. A statement of recommended actions that address previously identified concerns and problems. *(45.2.2c)*
  4. A statement of progress made toward addressing previously identified concerns and problems. *(45.2.2d)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 04, 2005	<b>NUMBER</b> 04-02.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Body Armor Line Personnel	<b>CALEA</b> <a href="#">41.3.5</a> <a href="#">41.3.6</a>
<b>SUBJECT</b> Body Armor		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedures concerning soft body armor.

**II. POLICY**

A body armor vest complying with the National Institute of Justice Standards will be issued to each officer as standard equipment. Uniformed line personnel shall wear issued body armor while on-duty. All other uniformed sworn personnel are strongly encouraged to wear issued body armor. If not worn, issued body armor shall be reasonably available for use by on-duty sworn personnel. [\(41.3.5\)](#)

**III. DEFINITIONS**

**Line Personnel** - Sworn personnel who, by the nature of their assignment, would normally be expected to encounter situations in the field that might require enforcement actions. Examples include, but are not limited to, Patrol Officers, K-9 Officers, School Resource Officers, Traffic Officers, Directed Deployment Officers.

**On-Duty** - Any time an employee is actively engaged in the performance of regularly assigned duties during regularly assigned work hours, when on a special assignment or mission for the Police Department, or when involved in an incident which would legally require a sworn employee to act in the capacity of a Police Officer.

**Off-Duty** - Any time an employee is not on-duty as defined in this section.

**IV. RULE / REGULATION**

- A.** On-duty sworn personnel shall present their issued body armor for inspection when requested by appropriate authority.
- B.** Traffic Section officers, while on-duty in uniform and operating a police motorcycle, shall wear issued body armor. Body armor for these officers is optional when the outside temperature is ninety degrees Fahrenheit or above.
- C.** All employees should remain alert to recognize any potential for heat related illness and/or injury when exposed for extended periods of time to an outside temperature or heat index that approaches or exceeds ninety degrees Fahrenheit. This is especially important for those personnel wearing body armor. Normal heat precautions should be taken, such as drinking

plenty of water, avoiding drinks that contain caffeine or large amounts of sugar, supervisors insuring officers are properly relieved if having to work for an extended period of time in the heat such as a traffic assignment, etc.

- D.** Personnel involved in the execution of high-risk tactical duties are required to wear body armor whenever discharging those responsibilities regardless of exceptions that may have been delineated elsewhere is this policy. Examples of high-risk tactical situations include, but are not limited to, planned warrant execution and drug raids. *(41.3.6)*

## **V. PROCEDURES**

- A.** The Department shall adhere to a replacement policy for body armor as currently recommended by the NIJ.
- B.** If an officer's vest shows premature wear or failure of any kind before the expiration of the replacement period recommendation of NIJ, the officer shall immediately report the problem to his/her supervisor. The supervisor shall arrange for the vest to be evaluated by the Support Services Lieutenant who will arrange for immediate repair or replacement of the vest at his/her discretion.
- C.** Vests not more than two years old, returned by officers leaving the Department, may be re-issued. Prior to re-issue the panels will be sanitized and the carrier will be professionally cleaned.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 5, 2004	<b>NUMBER</b> 04-03.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Vehicle Maintenance	<b>CALEA</b> 41.3.1 41.3.2 41.3.3 71.4.1
<b>SUBJECT</b> Routine Operations and Maintenance		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Department policy and delineate procedures regarding the routine operation, maintenance, and inspection of Department owned vehicles.

**II. DEFINITIONS**

**Assigned vehicle** – A Department vehicle that is assigned to a particular employee for exclusive or semi-exclusive use over an extended period of time.

**Department vehicle** – Any motor vehicle owned by the Police Department.

**Line inspection** – Inspections conducted by supervisors in control of the employees, facilities, procedures, or other elements being inspected.

**Marked unit** – A Department vehicle that is conspicuously marked so as to be readily identifiable as a law enforcement agency vehicle. (41.3.1)

**Pool vehicle** – A Department vehicle that is not assigned to any particular employee, but is assigned on a day-to-day basis or shift-to-shift basis.

**Unmarked Unit** – A Department vehicle that does not bear any conspicuous markings which would identify the vehicle as law enforcement agency vehicle.

**Vehicle equipment** – Implements and tools necessary for the accomplishment of the Police mission.

**III. POLICY**

The safety of the public and Department employees is of paramount importance where the operation of police vehicles is concerned. It is the Policy of the Bryan Police Department that all police vehicles shall be driven within the limits of state law, city ordinance, and department regulations, with the goal of establishing for all citizens, an example of safe driving. It is the policy of the Department to install in department vehicles the proper equipment for accident investigation, emergency response, communications and limited fire suppression. In order to ensure compliance with the policies, procedures, and regulations concerning department vehicles, it is the policy of the Department that all department vehicles will be inspected on a regular basis.

## **IV. RULE/REGULATION**

### **A. Vehicle Allocation and Assignment**

1. The Chief of Police will allocate and assign vehicles to Bureaus within the Police Department.
2. Bureau Commanders will allocate and assign vehicles to Divisions or Units within their chain of command.
3. Sergeants and Supervisors will allocate and assign pool vehicles on a day-to-day basis or shift-to-shift basis to their officers or personnel.
4. The Chief of Police has the sole authority to approve requests for assigned vehicles for the exclusive or semi-exclusive use over an extended period of time.

### **B. Vehicle Operations**

1. Department vehicles shall be operated only by employees authorized to do so.
2. Department vehicles shall be operated according to applicable state traffic laws, city ordinances, and department regulations.
3. Department vehicles shall be used for official purposes only.
4. Employees assigned to operate a marked department vehicle are responsible for inspecting the vehicle prior to operation to ensure that the vehicle is safe to drive with operational equipment. This check, as a minimum, should include an examination of: headlights, turn signals, brakes, brake lights, windshield wipers, horn, steering, tire pressure, emergency equipment, and any other feature which would affect the safe operation of the vehicle. *(41.3.1)*
5. When a vehicle is determined to be unsafe to operate, the employee shall report the vehicle to the appropriate supervisor. Unsafe vehicles will not be driven.
6. Vehicles shall not be left unattended with the engine running. An unattended vehicle is any vehicle out of the line of sight or presence of the employee.
7. Department vehicles will be locked and secured at all times when unattended and out of the employee's sight. (This also applies to vehicles parked in the Police Department's parking lots.)
8. All occupants in vehicles which have factory installed occupant safety restraining devices shall use restraint devices whenever the vehicle is in motion. *(41.3.3)*
9. Employees shall not transport non-police personnel in department vehicles except in situations specifically authorized by the Police Department and to accomplish legitimate police activities. If a child is transported within this exception, the vehicle operator shall insure the appropriate child safety restraint system is used whenever the vehicle is in motion. *(41.3.3)*

### **C. Vehicle Maintenance**

1. Employees are responsible for the maintenance and cleanliness of department vehicles.

2. Employees shall report any condition that affects the operation or appearance of a department vehicle to their immediate supervisor.
3. Vehicles deemed to be unsafe to drive shall be parked and not driven until repaired by Fleet Services personnel. Unsafe vehicles will be towed, not driven to the Municipal Service Center.
4. Employees driving pool vehicles shall fuel the vehicles prior to ending their shift; unless circumstances exist that prevent the employee from doing so. Under normal circumstances, pool vehicles should be refueled when the fuel gauge reads half full.
5. Employees shall not operate vehicles that do not have a valid motor vehicle inspection sticker, except to transport the vehicle directly to the Fleet Operations shop for inspection.
6. Supervisory personnel are responsible for ensuring that vehicles in need of repair are referred to Fleet Services.
7. Vehicles will be washed as necessary to maintain a positive image of the Department.

## **V. PROCEDURES**

### **A. Marked Vehicles**

1. Patrol vehicles shall be conspicuously marked so as to be readily identifiable as law enforcement agency vehicles from every angle. Vehicle markings shall include; an emblem identifying the vehicle as a Bryan Police Department vehicle, a vehicle number unique to each vehicle, reflective striping, and an emergency telephone number. *(41.3.1)*
2. Patrol vehicles used by patrol officers shall be equipped with the following items: *(41.3.2)*
  - a. Emergency warning light system, either roof, dash, or grill mounted *(41.3.1)*
  - b. Alley lights
  - c. Spot light
  - d. Siren system *(41.3.1)*
  - e. Radio system
  - f. Shotgun or carbine rack with electronic locking system
  - g. Protective barrier between the front and rear seats *(71.4.1)*
  - h. Push bumper
  - i. Tire deflation device
  - j. First aid kit
  - k. Fire extinguisher
  - l. C.P.R. mask
  - m. Hobble
  - n. Spit shield
3. Patrol vehicles used by command and supervisory officers shall be equipped with the following items:
  - a. Emergency warning light system, either roof, dash, or grill mounted *(41.3.1)*
  - b. Spot light

- c. Siren system (41.3.1)
- d. Radio system
- e. Shotgun or carbine rack with electronic locking system
- f. First aid kit
- g. Fire extinguisher
- h. C.P.R. mask

**B. Unmarked Vehicles**

1. Unmarked police vehicles used by investigators or other personnel for law enforcement activities shall be equipped with the following:
  - a. Radio system
  - b. First aid kit
  - c. Fire extinguisher
  - d. C.P.R. mask
2. Unmarked police vehicles used primarily for non-law enforcement purposes shall be equipped as deemed necessary by personnel assigned to use the vehicle.
3. Specialty vehicles, such as the crime scene van and the tactical response van shall be equipped as deemed appropriate by the Department.

**C. Equipment Replacement Procedures**

1. The employee assigned to use a vehicle shall be responsible for requesting replacement of any vehicle equipment that is used, lost, consumed, or no longer functional.
2. Employees shall request replacement of any vehicle equipment by notifying his/her immediate supervisor. (41.3.2)
3. Vehicle equipment of a mechanical nature, such as light bars, spot lights, sirens, etc. will be repaired or replaced by the Fleet Services personnel.

**D. Inspection Procedures**

1. Vehicles
  - a. All vehicles assigned to Patrol Divisions shall be formally inspected at least once each month. Supervisors are responsible for ensuring the inspections are conducted.
  - b. All vehicles assigned to the Special Operations Division, with the exception of Animal Control and Code Enforcement shall be formally inspected at least once each month by a supervisor of the unit.
  - c. Animal Control, Code Enforcement, and all other Departmental vehicles shall be formally inspected semi-annually. Inspection of these vehicles is the responsibility of the supervisor having control of the vehicles and personnel who operate them.
  - d. The purpose of the vehicle inspection is to insure that:
    - (1) All required equipment is in each vehicle
    - (2) All required equipment is in working condition
    - (3) Tire pressure and fluids are at proper levels
    - (4) The vehicle is reasonably clean both inside and out
    - (5) There is no damage or cosmetic defect which requires repair
    - (6) The vehicle is in a safe operating condition.



- e. Supervisors are responsible for ensuring that corrective action is taken on any deficiencies discovered during the course of the vehicle inspection.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 27, 2004	<b>NUMBER</b> 04-04.1	
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Vehicle Equipment Vehicular Pursuit	<b>CALEA</b> 41.2.1	
<b>SUBJECT</b> Emergency Operation and Pursuit		41.2.2	
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		41.2.3	

**I. PURPOSE**

The purpose of this directive is to establish Department policy and procedures regarding the emergency operation of police vehicles and the conduct of vehicular pursuits.

**II. DEFINITIONS**

**Emergency** – A situation in which the physical safety and well being of an individual is directly jeopardized; a “life and death” situation. (41.2.1)

**Emergency warning equipment** – Audible and visual devices installed in or on an emergency vehicle for the purpose of warning motorists and pedestrians of the approach of the emergency vehicle, including siren and emergency lights.

**Interjurisdictional pursuit** – A vehicular pursuit which leaves the jurisdiction of one law enforcement agency and enters the jurisdiction of another law enforcement agency.

**Tire Deflating Device (TDD)** – Devices which contain numerous hollow spikes and when driven over, deflate a vehicle’s tires at a rapid but controlled speed.

**Vehicular pursuit** – An attempt by an officer operating a vehicle to apprehend or stop the driver and/or occupant(s) of a moving motor vehicle, when the driver of such vehicle is apparently aware of the officer’s intentions and intentionally attempts to elude the officer and avoid apprehension by driving in an unsafe manner or at an unsafe speed.

**III. POLICY**

It is the policy of the Bryan Police Department that officers operating department vehicles in an emergency mode shall utilize both audible and visual emergency warning equipment and exercise due regard for the safety of all persons. Personnel will be held accountable for the consequences of reckless disregard for the safety of others. (41.2.1)(41.2.2)

**IV. RULE/REGULATION**

**A.** Emergency operation of department vehicles shall be limited to the following situations:

1. In response to emergency calls for service and assistance. (41.2.1)
2. In vehicular pursuit of known or suspected violators of the law. (41.2.2)

- B.** Officers may engage in the emergency operation of department vehicles to respond to emergency calls for service and assistance: *(41.2.1)*
  - 1. When the officer is responding to a call for service in which the violator presents a clear and immediate threat to the safety of others or a life threatening situation or a violent crime is in progress.
  - 2. When the officer is responding to a call for emergency assistance in situations which present a clear and immediate threat to the safety of other Police Officers or Firefighters.
- C.** Officers may engage in the vehicular pursuit of known or suspected violators: *(41.2.2)*
  - 1. When the officer knows or has reasonable grounds to believe a suspect has committed or is attempting to commit a violent felony offense; or when the necessity of immediate apprehension outweighs the level of danger created by the vehicular pursuit.
  - 2. When the officer knows or has reasonable grounds to believe a violator operating a motor vehicle is driving while intoxicated and the violator represents a clear and immediate threat to the safety of others.
- D.** Officers engaging in the emergency operation of department vehicles or engaging in vehicular pursuits shall exercise due regard for the safety of all persons. Officers shall weigh the necessity for emergency operation of department vehicles against the probability and severity of damage or injury that may result. When a clear and unreasonable hazard exists to the officer, the fleeing motorist, and/or the public emergency operations and pursuits will be terminated. *(41.2.1 & 41.2.2a)*
- E.** Officers may not engage in vehicular pursuit:
  - 1. When operating unmarked police vehicles. A police vehicle is considered “unmarked” if it is not equipped with door emblems, striping, and other decals which indicate the official nature of the vehicle. *(41.2.2d)*
  - 2. When operating police motorcycles and canine vehicles except under specific circumstances. Officers operating police motorcycles and canine vehicles may become involved in a vehicular pursuit as the primary unit only when they initiate a pursuit. Motorcycle and Canine Officers will immediately relinquish the pursuit to a marked police vehicle as soon a marked unit becomes available.
  - 3. When the officer knows or has reasonable grounds to believe a suspect or violator was involved only in a non-violent felony, misdemeanor crime, or civil traffic infraction.

## **V. PROCEDURE**

### **A. Emergency Operations**

- 1. Upon engaging in emergency operation of a department vehicle officers shall immediately notify the 911 Emergency Communications Center. Officers shall utilize all available emergency warning equipment including both audible (siren) and visual (emergency lights) devices. *(41.2.1 & 41.2.2)* Officers operating vehicles that are not equipped with functional emergency warning equipment shall not engage in emergency operations. If at any time during emergency operations, the police vehicle’s audible and/or visual emergency equipment becomes non-operational, the officer driving that vehicle shall terminate the emergency operation.

2. While engaged in emergency operation of a Department vehicle an officer may: *(41.2.1)*
  - a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
  - b. Exceed the maximum speed limits so long as the speed does not endanger life or property.
  - c. Disregard regulations governing turning when necessary and safe to do so.
  - d. Disregard regulations governing parking and standing when necessary and safe to do so.
3. The number of police vehicles engaged in emergency operations shall be kept to a minimum; the primary unit and a secondary unit will suffice in most situations. Additional units may be justified depending on the individual circumstances of the emergency as determined by a supervisor. Factors to be considered include nature of the offense, number of suspects, weapons involved, etc.

## **B. Vehicular Pursuits**

1. Upon engaging in a vehicular pursuit officers shall immediately notify the 911 Emergency Communications Center of their involvement. *(41.2.2b)* Officers shall utilize all available emergency warning equipment including both audible (siren) and visual (emergency lights) devices. Officers operating vehicles that are not equipped with functional emergency warning equipment shall not engage in vehicular pursuit. If at any time during a vehicular pursuit, the police vehicle's audible and/or visual emergency equipment becomes non-operational, the officer driving that vehicle shall disengage from the pursuit. *(41.2.2d)*
2. While engaged in a vehicular pursuit an officer may:
  - a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
  - b. Exceed the maximum speed limits so long as the speed does not endanger life or property.
  - c. Disregard regulations governing direction of movement or turning when safe to do so.
3. The number of police vehicles involved in a vehicular pursuit shall be kept to a minimum. No more than two units; the primary and a secondary unit will be directly involved. Additional units may be justified depending on the individual circumstances of the pursuit as determined by a supervisor. Factors to be considered include nature of the offense, number of suspects, weapons involved, etc.
4. The initiating or primary unit shall be in field command and bears operational responsibility for the pursuit until that responsibility is assumed by a supervisor. *(41.2.2b)*
5. The decision to terminate a vehicular pursuit may be made by either the primary officer or a supervisor. The primary unit may maintain pursuit as long as it is safe and reasonable to do so, until the suspect is stopped or a supervisor orders the termination of the pursuit. A vehicular pursuit shall be terminated under any of the following circumstances. *(41.2.2h)*

- a. If, in the opinion of the primary officer or a supervisor, there is a clear and unreasonable danger to the officer or other persons created by the pursuit that outweighs the necessity for immediate apprehension.
          - b. The suspect's identity has been established to the point that later apprehension can be accomplished and the need for immediate apprehension no longer exists.
          - c. The prevailing traffic, roadway, and environmental conditions indicate the futility of continued vehicular pursuit.
          - d. The location of the suspect vehicle is no longer known.
  6. Officers shall not be subjected to disciplinary action for terminating a vehicular pursuit.
- C.** Upon terminating a pursuit, officers shall:
1. Notify the 911 Emergency Communications Center that the pursuit has been terminated and the location where pursuit was discontinued.
  2. Resume normal vehicle operations; and turn off emergency equipment as soon as it is safe to do so.
- D.** Primary Unit Responsibilities *(41.2.2b)*
1. Upon initiating a pursuit, the primary unit shall notify the 911 Emergency Communications Center of the following information:
    - a. Unit identification
    - b. Location, direction of travel, and speed
    - c. Vehicle description and license number (if known)
    - d. Reason for the pursuit - Failure to provide the required information may be cause for a supervisor to order termination of the pursuit.
  2. The primary unit will continuously update the 911 Emergency Communications Center with the progress of the pursuit providing streets and intersections, direction of travel, and speed until relieved of that responsibility by the secondary unit.
  3. The primary unit shall continuously assess the conditions that exist and shall terminate the pursuit if necessary.
  4. Should the primary unit become disabled or otherwise unable to maintain pursuit, the primary unit will relinquish control of the pursuit to the secondary unit.
- E.** Secondary Unit Responsibilities *(41.2.2c)*
1. Upon joining the pursuit, the secondary unit shall notify the 911 Emergency Communications Center of:
    - a. Unit identification
    - b. Location
  2. The secondary unit shall maintain a safe distance behind the primary unit to avoid collision, but close enough to provide assistance if needed.
  3. If the primary unit must relinquish control or disengage from the pursuit, the secondary unit will assume the responsibilities of the primary unit.

4. Upon joining a pursuit, the secondary unit shall assume responsibility for providing the 911 Emergency Communications Center with continuous updates concerning the progress of the pursuit, including streets/intersections, direction of travel, and speed.

**F. Supervisor Responsibilities (41.2.2f)**

1. Upon notification of a pursuit in progress, the appropriate supervisor shall:
  - a. Ensure that the pursuit is justified under existing conditions
  - b. Verify that the proper number of units are involved in the pursuit
  - c. Request additional assistance as needed
  - d. Monitor the progress of the pursuit
  - e. Direct the pursuit; approve or order alternative tactics
  - f. Proceed to the general area of the pursuit.
2. It is not necessary that the field supervisor be involved in the actual pursuit in order to direct the pursuit.
3. In the absence of adequate information from the primary or secondary unit, or if conditions exist which do not justify continuation of the pursuit, the supervisor shall order termination of the pursuit.

**G. 911 Emergency Communications Center Responsibilities (41.2.2e)**

1. 911 Emergency Communications Center personnel shall receive and record all incoming information relating to the emergency operation of a police vehicle or police pursuit.
2. 911 Emergency Communications Center personnel shall insure that the appropriate supervisor is notified of the emergency operations or pursuit.
3. The primary talk group will be cleared for emergency operations or pursuit related radio traffic only. All other police radio traffic will be directed to the secondary talk group.
4. Requests for license plate and stolen vehicle checks will be handled on a priority basis and relayed to the units involved in pursuits as quickly as possible.
5. Communications personnel will coordinate additional assistance as requested.

**H. Pursuit Tactics**

1. In the course of pursuit, deliberate contact between vehicles or forcing the suspect vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, driving alongside the pursued vehicle while it is in motion, or discharging a firearm at a moving vehicle is prohibited, unless such actions are specifically authorized by a supervisor. Such actions may be approved only when the use of deadly force would be justified. (41.2.2g)
2. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.

3. There shall be no caravanning by field units not directly involved in the immediate pursuit.
4. Uninvolved units not assigned to a priority call shall monitor the pursuit radio traffic and remain available for assistance if requested.
5. There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the supervisor in control of the pursuit.
6. Units involved in the pursuit shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.
7. Roadblocks may be utilized upon authorization of a supervisory officer under the guidelines established in General Order 04-25 (Roadblocks). *(41.2.2g)*

**I. Interjurisdictional Pursuits *(41.2.2i)***

1. When it appears a vehicular pursuit will leave the jurisdiction of the Bryan Police Department and enter another agency's jurisdiction, the supervisor or primary officer in control of the pursuit shall request the 911 Emergency Communications Center to notify the appropriate agency. The notification should specify whether any assistance is requested.
2. When a vehicular pursuit conducted by another agency enters the jurisdiction of the Bryan Police Department, no officer shall become involved unless the initiating agency requests assistance and a supervisor authorizes assistance. Authorization to assist another agency involved in a vehicular pursuit shall not be granted if the reason for the pursuit does not meet the provisions of this policy. When becoming involved in a pursuit initiated by another agency, officers shall adhere to all Department policies and procedures regarding pursuits.

**J. Tire Deflating Devices (TDDs) *(41.2.2g)***

1. TDDs are designed to be used to stop vehicles having at least four tires. Its use against motorcycles and three-wheeled vehicles substantially increases the risk of bodily injury or death to the vehicle's operator and passengers. TDDs will not be used to stop motorcycles or three-wheeled vehicles unless the use of deadly force is legally justified.
2. The appropriate supervisor may authorize the use of TDDs to stop a fleeing suspect who displays a lack of regard for his/her safety or the safety of others.
3. Only Department approved and issued TDDs will be deployed.
4. The supervisor authorizing the deployment of TDDs will ensure that the officer deploying the device has been properly trained and adheres to manufacturer's recommendations and guidelines in their use and deployment.
5. Every reasonable effort will be made to avoid using TDDs on road surfaces which, in the immediate vicinity there is:
  - a. Standing water

- b.** Ice or snow
    - c.** Exceptionally rough pavement
    - d.** Unpaved roads
    - e.** Unique circumstances/characteristics which would indicate a foreseeable increase in the risk of a serious accident.
  - 6.** Unless a substantial risk to the public is imminent and apparent by not terminating a pursuit, TDDs will not be used to stop vans/buses carrying passengers or vehicles transporting explosives or other hazardous materials.
  - 7.** The deploying officer will not hold onto any part of the TDD after it is deployed, as it could cause serious injury. (This excludes the reel, per the manufacturer's instructions.) Once the TDD is deployed, officers at the scene should seek a secure location away from the path of the fleeing vehicles.
  - 8.** TDDs should be deployed in areas with unobstructed views of the roadway from both directions so as to aid deployment and lessen the possibility of an accident.
  - 9.** When the fleeing vehicle has passed the device's location, the TDD should be removed from the roadway so pursuing vehicles may pass. The officer deploying the TDD shall ensure the pursuing officer(s) is aware of the location of deployment.
  - 10.** Pocket TDDs should be deployed only when vehicles are stationary, such as a tactical situation.
  - 11.** The deploying officer shall document the use of a TDD in utilizing the Department's use of force form.
- K. Administrative Review (41.2.2j)**
- 1.** The Department shall conduct an administrative review of every vehicular pursuit action by members of this Department.
  - 2.** The purpose of the administrative review is to determine if:
    - a.** The pursuit was necessary.
    - b.** The pursuit was conducted according to policy and procedures.
    - c.** Training needs should be considered.
    - d.** Policy changes need to be considered.
  - 3.** The officer who initiates a vehicular pursuit shall complete a "Vehicular Pursuit Report" within 24 hours after the pursuit.
  - 4.** Supervisory officers are responsible for ensuring that a "Vehicular Pursuit Form" is submitted by the initiating officer within 24 hours after the pursuit. Upon thorough review, the supervisor shall approve, investigate further, and/or make recommendations and then forward the report to the Professional Standards Unit through the chain of command. The original report is filed in PSD, with a copy provided to the Training Division.



5. The Professional Standards Unit shall be notified immediately when a vehicular pursuit results in property damage or personal injury to any person. In cases involving serious bodily injury or extensive property damage, the Professional Standards Unit should begin an immediate administrative review. This review will not take the place of a supervisor's accident investigation or any other investigation necessary as a result of the pursuit.
6. The Professional Standards Unit shall complete and forward to the Chief of Police an annual, documented analysis of vehicular pursuit reports to determine if any trends exist that might indicate training needs and/or policy modifications to be considered. (41.2.3)

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 1, 1988	<b>NUMBER</b> 04-05.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Firearms Off-Duty Weapons Handguns Shotguns Carbines Rifles Automatic Weapons Personal Firearms	<b>CALEA</b> <a href="#">1.3.9</a> <a href="#">1.3.10</a>
<b>SUBJECT</b> Firearms Regulations		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to state Department policy and regulations regarding the carrying of firearms by sworn officers.

**II. POLICY**

Sworn officers of this Department shall carry firearms according to the regulations contained in this directive. Officers shall carry and use only those types of firearms and ammunition which is approved by the Department and for which they have been trained to use.

**III. FIREARMS REGULATIONS**

- A.** Prior to being issued a Departmental firearm or being authorized to carry any firearm in an official capacity as a police officer, every sworn officer of this Department will be issued a copy of each directive contained in the category of Use of Force/Weapons and will receive instruction concerning the policies, procedures, and regulations contained in those directives.
- B.** All on-duty officers shall be armed with a department approved handgun, except that an officer involved in an undercover assignment or some other unusual work assignment may be exempted from this regulation with supervisory approval.
- C.** Officers are encouraged, but not required, to carry a handgun while off-duty within the jurisdiction of this department. Any weapon carried while off-duty shall be worn inconspicuously and concealed from public view. Officers shall not carry weapons off-duty under circumstances which would pose a substantial hazard to the officer or other persons, would reflect unfavorably on the officer and/or Department, or would be a violation of law. Handguns, when not under an officer’s direct control, should be rendered inoperable or stored in a reasonably inaccessible location to prevent unauthorized persons from gaining access. [\(1.3.9e\)](#)
- D.** Officers must have qualified with any type of firearm that will be carried or used in an official capacity either on or off-duty. [\(1.3.10\)](#)
- E.** Any personal firearm shall be registered with the Department prior to being carried by an officer in an official capacity, either on or off-duty. Officers shall use the Firearm

Registration Form to register firearms. Firearms registration forms will be maintained by the staff assistant. *(1.3.9 d)*

- F.** Any firearm carried by an officer in an official capacity, either on or off-duty is subject to inspection by command level or supervisory level officers.
- G.** Any firearm carried by an officer in an official capacity, either on or off-duty shall be properly maintained, clean, and in good repair. Firearms carried by an officer shall be required to pass a detailed annual inspection by a certified armorer or qualified weapons instructor. Any firearm deemed unsafe shall be taken out of service and repaired to function properly. *(1.3.9 c)*

#### **IV. HANDGUNS**

##### **A. Department Issued Handguns**

1. The Department issued handgun is the Glock Model 22, .40 caliber Semi-Automatic Pistol for uniformed assignments and the Glock Model 23, .40 caliber Semi-Automatic Pistol for plain clothes assignments. *(1.3.9.a)*
2. An officer may carry a personally owned handgun on-duty as a primary handgun only if the handgun meets Department requirements and is approved by the Chief of Police. *(1.3.9.a)*

##### **B. Off-Duty and Back-up Handguns**

1. Back-up handguns may be carried by on-duty officers. Any handgun carried as a back-up or secondary weapon must be registered with the Department, be concealed from public view, and must meet the requirements of off-duty handguns.
2. Handguns carried off-duty may be personally owned or Department issued.
3. Handguns carried off-duty may be either semi-automatic or revolver.
4. Off-duty handguns shall be a minimum of .380 caliber if semi-automatic or .38 caliber if revolver. *(1.3.9a)*
5. Off-duty handguns shall be of high quality as determined by the Chief of Police or his designate.

#### **V. HOLSTERS**

- A.** Any handgun carried by an officer on-duty shall be carried in a holster specifically designed for the handgun carried. The holster design shall include a safety device to prevent accidental removal or loss of the handgun. Officers engaged in undercover assignments may be exempted from this regulation with supervisory approval.
- B.** Holsters worn by uniformed officers shall be either Department issued or of a make and style approved by the Chief of Police.

## **VI. AMMUNITION**

- A.** Officers will only carry and utilize ammunition that is issued or approved for use by the Department. *(1.3.9 b)*
  - 1.** Authorized duty ammunition for Department issued handguns is Speer .40 caliber 155 grain Gold Dot hollow point.
  - 2.** Authorized duty ammunition for Department issued shotguns is Remington TAC 8, 12 gauge, 00 buckshot and Federal Hydra-shok, 12 gauge tactical rifled slug.
  - 3.** Authorized duty ammunition for Department issued carbine is Federal .223 caliber TRU 55 grain jacketed soft point.
  - 4.** Authorized duty ammunition for Department issued sub-machinegun is Fabrique National Herstal 5.7 x 28 mm full metal jacket.
- B.** Officers who carry an issued weapon will be supplied Department authorized ammunition. Additional ammunition will be issued if the original allotment needs to be supplemented because of legitimate use. Outdated ammunition will be utilized on the firing range during department approved firearms training.
- C.** Ammunition for any weapon other than the Department issued caliber must be approved by the department and supplied by the officer for on-duty, off-duty, and training purposes.

## **VII. SHOTGUNS**

- A.** The Department issued shotgun is the Benelli M1 Super 90, 12 gauge shotgun. Only those officers who have received Departmental training and have demonstrated safe and proficient use of the police shotgun may carry a shotgun while on-duty. *(1.39.a)*
- B.** Department owned shotguns may be checked out from supervisory officers for use on a shift by shift basis or for special assignments. Shotguns shall be turned in at the end of each shift or after completion of a special assignment. Shotguns shall be reasonably clean and free of dirt, grime, grease, fingerprints, etc. upon return to the gun locker. Any mechanical problems with the shotgun shall be reported to a supervisor. *(1.3.9a)(1.3.9e)*
- C.** Supervisors becoming aware of any mechanical problems with a Department owned shotgun shall immediately remove the shotgun from the gun locker and document the need for examination and/or repair.
- D.** Shotguns shall be loaded and unloaded outside the police building using safety precautions to prevent accidental discharge. Loaded shotguns shall not be brought into the police building except in the event of an emergency which requires the need for a loaded shotgun.
- E.** Shotguns shall normally be carried with the magazine loaded, chamber empty and safety on. A round shall not be loaded into the chamber unless the officer has reason to believe he may need to discharge the shotgun for a legitimate police purpose. When that reason no longer exists, the officer shall remove the round from the chamber as soon as it is safe to do so.

- F. All shotguns carried in patrol vehicles will be placed into the shotgun racks provided and secured at all times. If firearm racks are not available, the shotgun may be secured in the trunk within a soft or hard case.

## VIII. CARBINES

- A. The Department issued carbine is the Colt AR-15A3 Tactical Carbine .223 caliber. Only those officers who have received Departmental training and have demonstrated safe and proficient use of the police carbine may carry a carbine while on-duty. *(1.3.9a)*
- B. Department owned carbines may be checked out from supervisory officers for use on a shift by shift basis or for special assignments. Carbines shall be turned in at the end of each shift or after completion of a special assignment. Carbines shall be reasonably clean and free of dirt, grime, grease, fingerprints, etc. upon return to the gun locker. Any mechanical problems with the carbines shall be reported to a supervisor. *(1.3.9a)(1.3.9e)*
- C. Supervisors becoming aware of any mechanical problems with a Department owned carbines shall immediately remove the carbine from the gun locker and document the need for examination and/or repair.
- D. Carbines shall be loaded and unloaded outside the police building using safety precautions to prevent accidental discharge. Loaded carbines shall not be brought into the police building except in the event of an emergency which requires the need for a loaded carbine.
- E. Carbines shall normally be carried with the magazine loaded, chamber empty and safety on. A round shall not be loaded into the chamber unless the officer has reason to believe he may need to discharge the carbine for a legitimate police purpose. When that reason no longer exists, the officer shall remove the round from the chamber as soon as it is safe to do so.
- F. All carbines carried in patrol vehicles will be placed into the carbine's racks provided and secured at all times. If firearm racks are not available, the carbine may be secured in the trunk within a soft or hard case.
- G. The officer shall carry the department issued magazines when carrying the carbine. Extra magazines may be carried on the person or in the patrol vehicle.
  - 1. Carbine ammunition must be an expanding point type. No full metal jacketed ammunition may be carried in the carbine. Full metal jacketed ammunition may be carried in reserve for special circumstances such as a barricaded subject with body armor.
- H. The carbine may be utilized under the same circumstances in which the police shotgun might be employed.

## IX. RIFLES AND FULL AUTOMATIC WEAPONS

- A. The Department issued automatic rifles are the Fabrique National P90, 5.7x28mm caliber submachine gun and the Colt M16A2 5.56 mm automatic rifle. *(1.3.9a)*
- B. The Department issued sniper rifle is the Remington Model 700 VSF, .22-250 caliber and .308 caliber. Department issued automatic rifles and sniper rifles shall be reasonably clean

- and free of dirt, grime, grease, fingerprints, etc. upon return to the gun locker. Any mechanical problems with the rifles shall be reported to a supervisor. *(1.3.9a)(1.3.9e)*
- C.** Only those officers who have received Departmental training as members of the tactical response team and have demonstrated safe and proficient use of the police FN P90, M16A2, or Remington Model 700 VSF may carry a fully automatic weapon or sniper rifle while on-duty.
  - D.** The deployment of a full automatic firearm or sniper rifle must be approved by a supervisor on a case by case basis.
  - E.** Use of rifles and full automatic firearms is restricted to those situations in which extraordinary firepower is necessary to affect an arrest, prevent injury to officers or other persons, or otherwise control a situation. *(1.3.9a)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 1, 1996	<b>NUMBER</b> 04-06.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Field Release Misdemeanor Citation	<b>CALEA</b> <a href="#">61.1.2a</a>
<b>SUBJECT</b> Misdemeanor Arrest by Citation		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish guidelines and procedures for the field release of violators by issuance of municipal court citations in lieu of booking for offenses filed and prosecuted in the municipal court.

**II. DEFINITIONS**

**Violator** – A person alleged to have committed an offense which is prosecuted in the municipal court.

**III. POLICY**

To maximize the efficiency of the Department, violators arrested for offenses which are filed and prosecuted in the municipal court will be issued a citation in lieu of booking except in cases where booking is warranted according to the procedures outlined in this directive.

**IV. PROCEDURES**

**A.** Citations should be issued for offenses which are filed and prosecuted in municipal court in all instances, except where booking may be warranted for the following reasons: [\(61.1.2a\)](#)

1. The officer has reasonable cause to believe that the violator is an actual or potential danger to himself or others.
2. The violator is not known to the officer and does not have identification to sufficiently establish the violator’s identity and address or the violator has refused or failed to properly identify himself.
3. The violator refused to sign the promise to appear or the officer has reasonable cause to believe that the violator will fail to appear in court in response to a citation.
4. The officer has other articulable reasons to justify a custodial arrest and booking in lieu of citation, subject to supervisory review.

**B.** Citations issued for theft and assault must be accompanied by an offense report.

- C.** In cases other than theft and assault, no other report is required unless the circumstances indicate a need for additional paperwork as determined by the officer or a supervisor.
- D.** When a citation is accompanied by an offense report, the case number must be referenced on the citation and the offense report narrative must indicate that a citation was issued and reference the citation number.
- E.** The officer issuing a misdemeanor citation shall make sufficient notations on the front and/or back of the citation to ensure proper prosecution of the case at a future date and to provide the court with necessary information to process the citation. For example:
  - 1.** Citations for Minor in Possession must indicate the type and amount of alcohol possessed.
  - 2.** Citations for Disorderly Conduct must indicate the DOC subsection violated.
  - 3.** Citations for Possession of Drug Paraphernalia must describe the Paraphernalia.
- F.** The officer shall submit the completed citation with a copy of any other related paperwork attached at or before the end of the tour of duty during which the citation was issued. Misdemeanor citations will be placed in the location designated by the Department.
- G.** If the violator refuses to sign the citation and the officer has probable cause and legal authority to arrest the violator, the violator may be arrested, booked, and required to post bond.
- H.** For Juveniles, see General Order 04-37 (Juvenile Procedures).

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 13, 2005	<b>NUMBER</b> 04-07.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Illegal Aliens Immigration Laws	<b>CALEA</b>
<b>SUBJECT</b> Illegal Aliens		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the Department’s interaction with illegal aliens.

**II. POLICY**

The Bryan Police Department is committed to the principle that effective law enforcement depends on open communications between the police department and the community it serves. As professional police officers we must rely on the cooperation of all individuals, to include citizens, legal aliens, and illegal aliens, in our effort to combat crime, fear of crime, disorder, and decay. Illegal alien status, in and of itself, is not a matter for local law enforcement action.

It is the policy of the Bryan Police Department that should an officer come into contact with a suspected illegal alien as a result of a police investigation, the suspected illegal alien shall be treated in the same manner as a legal citizen

**III. PROCEDURES**

- A.** Officers of this Department shall not stop, question, arrest, or detain anyone suspected of being an illegal alien solely on the grounds that he or she may be a deportable alien.
- B.** Whenever an officer comes into contact with a suspected illegal alien as a result of a police investigation, the suspected illegal alien shall be treated in the same manner as a legal citizen.
- C.** If an illegal alien is arrested for a criminal offense, he/she shall be afforded those rights guaranteed by the Miranda decision as well as any other rights guaranteed by law.
- D.** When a known or suspected illegal alien is lawfully detained or arrested for a violation of a state law or municipal ordinance, the United States Immigration and Customs Enforcement Services (ICE) should be notified through established Brazos County Jail procedures.
- E.** Only ICE Agents may arrest or place a hold on a subject for violation of immigration laws.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 6, 2004	<b>NUMBER</b> 04-08.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Patrol Operations Patrol Assignments Patrol Shifts Patrol Scheduling	<b>CALEA</b> <a href="#">41.1.1</a> <a href="#">41.1.2c</a>
<b>SUBJECT</b> Patrol Assignments		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to specify: criteria for assignment of officers to patrol teams, frequency of shift rotation, shift hours, zone assignments, zone rotation, and days off.

**II. DEFINITIONS**

**Patrol Team** – A component of the Patrol Division consisting of a group of uniformed patrol officers and supervisors organized under the command of a Lieutenant.

**Shift** – A designated set of work hours applicable to officers assigned to the Patrol Division, consisting of an eight, ten, or twelve hour work day.

**Zone** – A geographic area assigned to one or more patrol officers. Each zone is subdivided into two beats

**Beat** – A geographic area assigned to a patrol officer. A subdivision of a zone. One officer may be assigned to patrol a beat.

**III. TEAM ASSIGNMENTS**

- A. Every officer assigned to the Patrol Divisions is assigned to a patrol shift.
- B. Shift assignments may be changed as the needs of the Department dictate as determined by the Division Commanders.

**IV. SHIFTS**

- A. Patrol Divisions operate on an around-the-clock basis with each shift responsible for providing basic police services for an eight, ten or twelve hour period of each day. The actual hours for each shift may vary from time to time and will be established by the Patrol Division Commanders. [\(41.1.1\)](#)
- B. The Patrol Division Commanders are responsible for determining the length of time that personnel are assigned to a particular shift.

**V. DAYS OFF**

- A. Days off for the Division Commander shall be determined by the Field Operations Bureau Commander.

**B.** Days off for Patrol supervisors shall be determined by the Division Commander.

**C.** Days off for Patrol officers shall be determined by the Patrol Supervisor.

**VI. ZONE/BEAT ASSIGNMENTS**

**A.** Officers shall be assigned to patrol in a specific zone or beat or may be given a special assignment as determined by the shift sergeant. *(41.1.2c)*

**B.** Officers shall be responsible for handling all calls for service within their assigned area unless engaged in other authorized activity.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 2, 1988	<b>NUMBER</b> 04-09.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Patrol Operations Staffing Requirements Leave Guidelines Vacation Compensatory Time Holidays	<b>CALEA</b>
<b>SUBJECT</b> Patrol Staffing Requirements		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy concerning the staffing requirements and minimum staffing levels allowed on each shift.

**II. POLICY**

To ensure that a sufficient number of patrol officers are on-duty during each shift to handle the anticipated workload, supervisors shall follow the guidelines set forth in this directive which establish the minimum number of officers required for each shift. Shift sergeants shall keep these requirements in mind when deciding whether to approve officers' requests for leave. Supervisors shall avoid granting leave to an excessive number of officers which may adversely affect the operating strength of the team. The minimum staffing requirements contained in this directive are to be used as a guideline in determining when it would be appropriate to arrange for additional officers to work on an overtime basis due to manpower shortage or workload excess.

**III. MINIMUM STAFFING REQUIREMENTS**

- A.** The following minimum requirements shall apply to all regular patrol divisions except during pre-scheduled shift change periods:
  - 1.** One (1) supervisor.
  - 2.** Seven (7) patrol officers.
- B.** There will be an additional shift as staffing is available, designed to supplement the regular shifts during peak activity periods. Assignment to this shift, and staffing levels of this shift are the decision of the Patrol Division Commander. Levels are to be based on need and manpower availability.
- C.** The staffing requirements contained in this directive are intended to serve as a minimum manpower requirement. Shift sergeants have the authority to increase these minimum requirements when the circumstances and anticipated workload indicate a need to do so.
- D.** Supervisors have the authority to direct personnel to work on an overtime basis in order to comply with the minimum manpower requirements contained in this directive.

## **IV. LEAVE GUIDELINES**

### **A. Vacation**

1. In accordance with City policy, patrol officers and intake specialists shall sign a vacation schedule to be completed by January 1st, indicating when the employee intends to take vacation leave during that year. The vacation schedule will be signed in order of seniority. Employees will not be strictly held to the vacation schedule, however, when more than one employee from the same shift requests vacation during the same period, the scheduled employee will receive preference, regardless of seniority.
2. Shift sergeants shall grant vacation leave, compensatory time, and/or holidays to no more than two (2) employees per shift (excluding supervisors). If granting vacation to one employee creates a manpower shortage for that shift, the supervisor is authorized to direct an officer to work on an overtime basis in order to comply with minimum staffing requirements.
3. Sworn officers may take vacation leave upon successful completion of basic academy and field training. Exceptions on this policy will be considered on a case by case basis and may be approved by the Chief of Police.

### **B. Holidays**

1. Employees may be paid for holidays only if the holiday could not be taken off during the specified 6 month period as provided under General Order 3-10 (Work Scheduling and Pay Practices).
2. Supervisors shall not grant time off for holidays when the absence of the officer or intake specialist would leave the shift below the minimum staffing requirements.

### **C. Compensatory Time**

1. Requests to take compensatory time off shall be granted by supervisors only when the absence of the officer will not significantly affect the operating strength of the shift.
2. Supervisors shall not approve requests for compensatory time off if the absence of the officer would leave the shift below the minimum staffing requirements. A supervisor may refuse to grant a request for compensatory time off for any reasonable cause.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 7, 2004	<b>NUMBER</b> 04-10.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Shift Briefing Reporting for Duty	<b>CALEA</b> <a href="#">41.1.3</a>
<b>SUBJECT</b> Shift Briefings		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedures for conducting shift briefings prior to the beginning of each patrol shift.

**II. PROCEDURES**

**A.** Prior to the beginning of each patrol shift, a shift briefing shall be conducted by supervisory personnel. [\(41.1.3\)](#)

**B.** The purposes of shift briefings include: [\(41.1.3\)](#)

1. Posting of patrol assignments and vehicle designations.
2. Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
3. Notifying officers of changes in policy and/or procedures.
4. Inspection of officer's uniforms and equipment.
5. Training.

**C.** Officers shall report for shift briefing at the designated time, in a clean pressed uniform, with shoes shined and equipment in order. When reporting for duty, officers shall be prepared to immediately respond to calls for service without delay to obtain necessary equipment.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 7, 1988</p>	<p><b>NUMBER</b> 04-11.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Radio Procedures Ten-Code Call Numbers</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Radio Procedures</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish radio communication procedures for the patrol component.

**II. POLICY**

On-duty patrol officers should have access to radio communications by means of a mobile transceiver and/or portable transceiver which enables the officer to communicate directly with the police communications center at all times. Patrol Division officers shall adhere to the radio procedures established in this directive.

**III. PROCEDURES**

**A. Call Numbers**

1. Radio call numbers used by the patrol component consist of three (3) numerals which may or may not be followed by an alphabetical letter.
2. The Patrol Lieutenants and the Patrol Sergeants have been designated the following radio call numbers:
  - a. 404 Day Patrol Division Lieutenant
  - b. 407 Night Patrol Division Lieutenant
  - c. 410 & 412 Day Shift 1 Sergeants
  - d. 411 & 413 Day Shift 2 Sergeants
  - e. 430 & 433 Night Shift 1 Sergeants
  - f. 431 & 432 Night Shift 2 Sergeants
  - g. 440 Traffic Unit Sergeant
3. Patrol officers are assigned a radio call number consisting of three numerals which may or may not be followed by the letter "A", "B", "R", or "Z". Each numeral or letter in the call number is significant as follows:
  - a. The first numeral is "4" which identifies the unit as a Bryan Police unit.

- b. The second numeral is either “1” through “5” which identifies the shift to which the unit is assigned.
- c. The third numeral is a “4” through “9” which identifies the units patrol assignment as follows:
  - (1) “4” through “7” .....Patrol Zone
  - (2) “9”.....Rover
- d. The alphabetical identifier positioned after the numerical designation is significant as follows:
  - (1) The “A” and “Z” denote beats within a specific zone.
  - (2) The “R” denotes a reserve officer unit.

**B. Required Radio Transmissions**

- 1. Patrol operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and other officers are aware of the status and location of each on-duty officer.
- 2. Officers shall advise the police dispatcher of their call number, location, and status by police radio or mobile data computer (MDC) under the following circumstances.
  - a. Upon arrival at the scene of an assigned call for service or observing an offense or incident in progress;
  - b. When stopping a vehicle or pedestrian;
  - c. When leaving the patrol unit for any purpose;
  - d. Upon returning to service and available for calls;
  - e. When engaging in pursuit or other emergency response;
  - f. Upon request by a dispatcher or supervisor.

**C. Ten Code**

- 1. The practice of using coded radio transmission has, for the most part, been replaced by “plain language” transmissions.
- 2. A limited number of radio 10-codes have been retained and may be used to expedite radio transmissions. The acceptable codes are as follows:
 

<b>a.</b> 10-0	Caution
<b>b.</b> 10-4	Acknowledgment
<b>c.</b> 10-6	Busy-unless urgent
<b>d.</b> 10-7	Out of Service
<b>e.</b> 10-8	In-Service
<b>f.</b> 10-9	Repeat
<b>g.</b> 10-18	Quickly
<b>h.</b> 10-20	Location
<b>i.</b> 10-27	Driver license check
<b>j.</b> 10-28	Vehicle registration check



- k. 10-67 Get subject away from radio
- l. 10-84 Narcotics involvement
- m. 10-95 Suspect in custody
- n. 10-96 Mental Subject
- o. 10-99 Wanted/Stolen

3. Radio transmissions should be clear, concise, brief, and conducted in a professional manner.
4. Conversations between patrol units of an extended nature should be conducted on the car to car frequency.
5. Unnecessary use of the radio is not permitted.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 7, 1988</p>	<p><b>NUMBER</b> 04-12.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Significant Events</p>	<p><b>CALEA</b> <a href="#">41.2.5</a></p>
<p align="center"><b>SUBJECT</b> Significant Events</p>		
<p><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure to be followed in circumstances which require the notification and/or presence of a patrol supervisor or command level officer at a scene to assume command.

**II. POLICY**

Through training, police officers are expected to be capable of handling the majority of incidents which come to their attention. Occasionally, however, incidents of an unusual or serious nature will arise which may require the presence of a supervisory or command level officer at the scene for the purpose of assuming command. In some cases, the supervisor or command level officer may not be needed at the scene, but should be notified of the incident. Officers shall adhere to the procedures established in this directive regarding the reporting of significant events.

**III. PROCEDURES**

- A.** Officers shall notify and/or request the presence of a patrol supervisor for the following circumstances: [\(41.2.5\)](#)
1. Any incident involving a homicide, suicide, or other death under suspicious, unusual, or unnatural circumstances.
  2. Any incident in which an officer uses deadly force against or causes serious bodily injury to another person.
  3. Any incident involving a serious crime against an individual or major property crime involving a substantial loss or requiring extensive investigative efforts.
  4. Any incident involving a serious injury to a Department member or City employee.
  5. Any accident involving a Department member, Department vehicle, or City vehicle.
  6. Any major disturbance.
  7. Any incident involving a barricaded subject or hostage.

8. Any major accident involving serious injuries, fatalities, or substantial traffic disruption.
  9. Any incident involving a lost or missing child.
  10. Any other significant or unusual event which may attract substantial attention from the news media.
- B.** The appropriate patrol supervisor shall respond to the scene when notified of any significant occurrence unless the supervisor's presence is determined to be unnecessary or the supervisor is precluded from responding due to other overriding responsibilities.
  - C.** Patrol Supervisors shall ensure that the Field Operations Bureau Commander or, if after hours, the designated on-call command officer is notified of any significant event.
  - D.** The command level officer who receives notification of a significant event shall be responsible for notifying the Chief of Police of the incident.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-13.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Emergency Response Response Procedures	<b>CALEA</b> <a href="#">41.2.1</a>
<b>SUBJECT</b> Response Procedures		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Department policy and procedures regarding the response of officers to calls for service and assistance.

**II. DEFINITIONS**

**Code 1: Non-Priority Response** – Officer is to respond to the call at the earliest opportunity or appointed time, but before end of shift. All traffic regulations will be complied with.

**Code 2: Priority Response** – Officer is to respond to the call without delay, proceeding directly to the location, without utilizing emergency warning equipment. All traffic regulations will be complied with.

**Code 3: Emergency Response** – Officer is to respond to the call immediately, proceeding directly to the location as quickly as reasonably possible, utilizing all available emergency warning equipment, while operating the vehicle with due regard for the safety of all persons.

**Emergency warning equipment** – Audible and visual devices installed in or on an emergency vehicle for the purpose of warning motorists and pedestrians of the approach of the emergency vehicle including siren and emergency lights. Spotlights are not included.

**III. POLICY**

As a service oriented, as well as a law enforcement oriented agency, the Department receives a large variety of calls and requests for service and assistance. It is impossible to respond to each and every one of these calls on an equal basis. Some calls for service are considered more serious than others and deserve a more immediate response by Department personnel. Members of the Department shall observe the procedures set forth in this directive when responding to calls for service and public assistance.

## **IV. PROCEDURES**

### **A. Code 1: Non-Priority Response (41.2.1)**

1. A Code 1 response may be assigned to a call for service by communications or supervisory personnel only. An officer assigned to a call shall not respond Code 1 unless specifically advised to do so by either a communications operator or a supervisor. This shall not prohibit an officer from requesting permission from a supervisor to respond Code 1 based on the nature of the call and other activity the officer may be involved in that would justify a delayed response.
2. Code 1 response shall be limited to those types of calls which are of a non-priority nature and will not be adversely affected by a delayed response.
3. When a Code 1 response is assigned to any call for service, the reporting party shall be notified that an officer may not be responding immediately and there may be a delay before the call is handled.
4. Examples of calls for service which might be assigned a Code 1 response include, but are not limited to:
  - a. Non-emergency message delivery
  - b. Delayed accidents
  - c. Minor crime reports
5. Code 1 response shall never be assigned to any type of incident in progress or when suspect(s) may still be in the vicinity, regardless of the nature of the call.

### **B. Code 2: Priority Response (41.2.1)**

1. Unless notified otherwise by either communications or supervisory personnel, or unless the call demands an emergency response, officers will respond to all calls for service without delay, utilizing a Code 2 response.

### **C. Code 3: Emergency Response (41.2.1)**

1. A Code 3 response to a call for assistance requires the use of all available emergency warning equipment including both audible and visual devices.
2. Code 3 responses shall be limited to those types of calls for assistance which demand an immediate police response due to a potential life threatening situation.
3. Examples of calls for assistance which might be assigned a Code 3 response include, but are not limited to:
  - a. An officer in trouble
  - b. Violent crimes against persons in progress
  - c. Major disasters
  - d. Other life threatening situations

4. A Code 3 response may be assigned by either communications or supervisory personnel when the nature of the call demands an emergency response.
5. The officer assigned to a call for assistance may opt to respond Code 3 when, in the judgment of the officer, the call demands an emergency response based on the criteria established for such responses. Officers who choose to respond Code 3 to a call that is not assigned an emergency response by either communications personnel or a supervisor must be prepared to justify their actions.
6. Supervisory personnel may override and reclassify any response assignment made by communications personnel or and decision by an officer to respond Code 3 if a different response is deemed more appropriate by the supervisor.
7. An officer responding Code 3 to any call shall immediately notify communications of the following:
  - a. Radio call number;
  - b. Responding Code 3;
  - c. Location responding from.
8. If a Code 3 response is terminated or reduced to a lesser response prior to arrival at the scene, the officer shall so notify communications.
9. When responding Code 3 to an emergency call, an officer may proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; exceed the maximum speed limits so long as the speed does not endanger life or property; and disregard regulations governing direction of movement or turning when safe to do so.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 7, 2005	<b>NUMBER</b> 04-14.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Preliminary Investigations	<b>CALEA</b> <a href="#">42.1.1</a> <a href="#">42.1.4</a> <a href="#">42.2.2</a>
<b>SUBJECT</b> Preliminary Investigations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure regarding the preliminary investigation of criminal offenses.

**II. POLICY**

The investigation of criminal offenses, accidents, or other incidents is a process that can be divided into two categories: the preliminary investigation and the follow-up investigation. The preliminary investigation is the important first link in the total investigative effort by the Department. Ordinarily, the preliminary investigation is the responsibility of the patrol officer assigned to the call. Occasionally, an offense may come to the attention of other line officers, such as detectives, who may and in some cases should, assume the responsibility for conducting the preliminary investigation.

**III. PROCEDURES**

- A.** The preliminary investigation begins when the first police officer receives notification of the offense, accident, or incident and continues until a postponement of the investigation or transfer of responsibility to another officer or agency.
- B.** The objective of the preliminary investigation is to discover information upon which further investigative efforts can be based. The quality of the initial investigation may determine success of follow-up efforts. Officers shall conduct the most thorough and complete preliminary investigation possible under the given circumstances.
- C.** The following activities are integral components of the preliminary investigation process:
  - 1. Providing aid to the injured.
  - 2. Protecting the scene to ensure that evidence is not lost or contaminated.
  - 3. Make careful and complete observations of the conditions, events, and remarks surrounding the incident and accurately record them in report forms.
  - 4. Determining whether an offense has actually been committed, and if so, the exact nature of the offense.
  - 5. Determining the identity of the suspect(s) and making an arrest if it can be accomplished either at the scene or through immediate pursuit.
  - 6. Recovery of lost, stolen, or found property.

7. Furnishing other officers with suspect descriptions and other pertinent information as quickly as possible after the occurrence of an offense.
  8. Locating and obtaining complete identification of all witnesses.
  9. Interviewing complainant(s), witness(es), and suspect(s), if applicable, to determine what information they can provide.
  10. Arranging for the collection of evidence and scene processing.
  11. Determining in detail the exact circumstances of the offense, accident, or incident.
  12. Obtaining written statements from victims, witnesses, and suspects.
  13. Accurately and completely recording all pertinent information on designated report forms.
  14. Identifying solvability factors.
  15. Briefing supervisory and/or investigative personnel on known facts surrounding the case.
  16. Initiating inquiries and entries into TCIC / NCIC regarding the case under investigation.
- D.** The officer assigned to conduct a preliminary investigation shall complete as many of the investigative steps described in Section III. C. as may be applicable to the incident under investigation. The circumstances of each incident will determine which activities will be necessary.
- E.** The Criminal Investigation Division Commander or, if after hours, the designated on-call CID investigator, shall be notified of the following incidents as soon as possible after the initiation of the preliminary investigation:
1. Homicides, suicides, and all other deaths of a sudden, suspicious, unusual, or unnatural nature
  2. Sexual assaults
  3. Aggravated assaults involving serious bodily injury
  4. Kidnapping
  5. Other incidents which require immediate follow-up investigation
- F.** Patrol supervisory personnel may request the assistance of a CID investigator during the preliminary investigation for the following types of incidents:
1. Robbery or aggravated robbery
  2. Traffic or accidental deaths
  3. Sex offenses (other than sexual assault)
  4. Any other situation where, in the opinion of the supervisor, the expertise and mobility of a criminal investigator is needed to assist in the preliminary investigation.
- G.** Patrol supervisory personnel shall consider the following criteria in determining the need for assistance by CID in conducting a preliminary criminal investigation:
1. Whether special knowledge or expertise by CID personnel would substantially enhance the preliminary investigation.
  2. If a suspect is known but not in custody and there is need for immediate follow-up investigation to effect an apprehension of a dangerous felon or to prevent the loss of property or evidence.



3. The nature of the offense precludes patrol officers from conducting the preliminary investigation.
  4. A suspect is in custody and is willing to confess or provide information that would be valuable in clearing other serious offenses.
  5. Other unusual circumstances which justify the need for a criminal investigator.
- H.** When personnel from C.I.D. called to the scene of a preliminary investigation, the ranking CID officer at the scene may assume responsibility for the investigation and take command of the scene. Refer to General Order 02-05 (Chain of Command)
- I.** When a Criminal Investigation Division officer assumes command of a preliminary investigation, he/she shall coordinate with the patrol supervisor regarding the use of patrol personnel to assist in conducting the preliminary investigation.
- J.** The arresting officer in an on-site arrest is responsible for completing the probable cause statement. Probable cause statements for arrests made subsequent to follow-up investigations conducted by investigators is the responsibility of the investigator(s).
- K.** Due to the volume of cases referred to CID, some potentially solvable cases will not be investigated unless follow-up investigation is conducted by officers outside CID. If a uniform officer wishes to conduct the follow-up investigation, he/she must receive supervisory approval:
1. If approved, the initial report narrative must state the officer's intention to conduct the follow-up investigation.
  2. A CID supervisor will review the case to determine if it is related to other cases being investigated by detectives. If not, the case will be entered into MCI as assigned to the requesting officer. CID supervisors and investigators will assist the uniformed officer if requested, however the follow-up investigation does not place the officer in the investigative chain of command.
  3. Once the investigation is complete, the final report must be forwarded to CID so that the appropriate case closure is completed in MCI.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-15.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Crime Scene Processing Security Processing	<b>CALEA</b> 83.1 83.2
<b>SUBJECT</b> Crime Scene Processing		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to clarify the responsibilities of officers who secure, protect, and process the scene of a major accident, offense, or incident.

**II. POLICY**

The most critical stage of an investigation is the initial investigation which includes the processing of the scene of the incident. Criminal cases are many times won or lost depending on the quality of the crime scene investigation. Officers shall make every effort to properly and thoroughly process every scene regardless of the nature or severity of the incident.

**III. CRIME SCENE SECURITY**

- A.** The first priority of an officer responding to a scene is to provide aid to the injured and to address any other critical needs of the victim.
- B.** The first officer on the scene is responsible for all activities at the scene until relieved of this responsibility by a supervisor or investigator.
- C.** The initial officer on the scene shall evaluate the situation to determine the need for an ambulance, supervisor, additional officers, or investigators based on the criteria established in General Order 04-14 (Preliminary Investigations).
- D.** The first officer responding to a scene shall establish a clearly defined perimeter to protect the scene from contamination.
  - 1.** Rope off or otherwise secure sensitive areas.
  - 2.** Post guards at entrances to the scene.
  - 3.** Allow only authorized personnel with an immediate crime scene function to enter or to remain at the scene. Command level personnel are expected to recognize this need for security and shall set an example for other personnel by adhering to this procedure.

4. Names of all officers and other persons who enter the crime scene shall be noted in a written report concerning the crime scene investigation. Any Department member who enters the perimeter shall submit a supplemental report detailing his/her activities at the scene.
- E. The officer in charge of the scene shall locate and separate all known witnesses.
1. Obtain identification, addresses, and phone numbers.
  2. Obtain a brief account of what the witness knows about the incident.
- F. The officer in charge of the scene shall brief supervisory and investigative personnel upon their arrival.

#### **IV. CRIME SCENE**

- A. The processing of a significant crime scene should be conducted by an officer who has been specifically trained in crime scene techniques.
- B. The processing of a crime scene may include any or all of the following dependent on the nature of the incident:
1. Diagramming and sketching
  2. Photographing
  3. Videographing
  4. Processing and lifting latent or visible fingerprints
  5. Casting footprints, tire prints, tool marks, and other impressions
  6. A thorough crime scene search
  7. Collection and identification of all pertinent evidence including microscopic evidence
- C. Specific procedures for the processing of physical evidence, photographing, sketching, videographing, etc. are included in General Order 08-05 (Collection and Preservation of Property and Evidence).

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 7, 1988</p>	<p><b>NUMBER</b> 04-16.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Follow-up Investigation</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Follow-up Investigation</p>		
<p><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to clarify the follow-up investigation responsibilities of a patrol officer.

**II. DEFINITIONS**

**Follow-up Investigation** – An extension of the preliminary investigation, the purpose of which is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

**III. POLICY**

- A.** Generally, follow-up investigations for criminal offenses is the responsibility of the Criminal Investigation Division due to the workload demands on patrol officers. In some cases, however, the follow-up investigation of a criminal offense shall be conducted by the patrol officer who conducted the preliminary investigation.
- B.** Patrol officers shall conduct any necessary follow-up investigation for the following types of offenses or incidents:
  - 1. Traffic accidents
  - 2. All Class C misdemeanors
  - 3. Other misdemeanor offenses in which the patrol officer makes an on-view or warrantless arrest
  - 4. As directed by their supervisor
- C.** The patrol officer who conducts the follow-up investigation on the above listed types of cases shall be responsible for completing all reports necessary for the prosecution of the case.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 7, 1988</p>	<p><b>NUMBER</b> 04-17.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Field Interviews Frisks Stop and Frisk</p>	<p><b>CALEA</b> <a href="#">41.2.4</a></p>
<p align="center"><b>SUBJECT</b> Field Interviews</p>		
<p><b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i></p>		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure regarding field interviews of suspicious persons.

**II. DEFINITIONS**

**Field Interview** – The stopping and questioning of a person by a law enforcement officer because the officer; has reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime; or believes the subject may be a hazard to himself/herself or others; or believes the interview may prevent or deter the commission of a crime.

**Frisk** – A cursory search of a person for the sole purpose of discovering hidden weapons which may be used to injure an officer.

**III. POLICY**

Properly conducted field interviews of suspicious persons may deprive actual or potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes. Additionally, the information obtained during field interviews is a vital source of intelligence. Officers becoming aware of or confronting persons in suspicious circumstances shall conduct and document field interviews according to the procedures established in this directive.

**IV. PROCEDURES**

**A. Reasonable Stops and Field Interviews ([41.2.4](#))**

1. The field interview is a patrol technique used to determine a suspicious person's:
  - a. Identity
  - b. Reason for being at a particular place at a particular time
  - c. Possible association with criminal activity

2. A field interview may be conducted at any location or on any property on which the officer has a right to be. The suspicious subject may be a pedestrian or the occupant of a vehicle.
3. Probable cause is not required to make a stop. The officer may consider the “totality of the circumstances” including: the area, known crimes in the area, the time of day, prior knowledge of the person, and hearsay or other available information in deciding to conduct a field interview.
4. If the reason for the stop cannot be verbalized, grounds for a legal stop probably do not exist and the officer should not conduct a field interview.
5. Upon making a stop, the officer shall identify himself and explain the reason for the stop. The person should not be detained beyond the amount of time reasonable to conduct the field interview.
6. A person cannot be compelled to answer any questions, however, the refusal to answer a question may be considered an element adding to probable cause if the question asked is one to which an innocent person would normally respond.
7. An attempt to escape by the person after the initial stop may justify a second stop and may, with other facts, provide probable cause for an arrest. Failure to stop or an unwillingness to cooperate with the officer alone does not constitute grounds for an arrest.
8. Officers shall document all field interviews on the Field Interview Report Form (BPD-05) completing as much of the form as applicable. In the “Message” space, officers shall state the reason for the field interview.
9. Completed Field Interview Report forms shall be turned in for supervisory review prior to the end of each shift.
10. Patrol supervisors shall review Field Interview Report forms to ensure compliance with this procedure before routing the form to the Records Division for computer entry.

**B. Frisks**

1. There is only one valid ground for a pat down search, or frisk – when the officer believes the subject may have a weapon and represents an immediate threat to the officer’s or another person’s safety.
2. Under these circumstances, the officer may conduct a frisk of the subject’s outer clothing, but only to the extent necessary to determine if the subject is armed.
3. A valid stop alone does not justify a frisk. The officer must perceive a danger to himself/herself or others because of events leading up to or during the stop.
4. If during a frisk, the officer feels anything which could reasonably be a weapon; it may be removed from the clothing for examination.

5. If an illegal weapon is found during a frisk, the officer has probable cause for arrest. The reason for the stop and frisk must be documented in the accompanying report.
6. Current court decision allows for the seizure of items detected during a pat down which are immediately recognized by the officer as contraband, i.e. a “crack pipe.”

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-18.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Justice of the Peace Street Department Highway Department Utilities News Media	<b>CALEA</b> <a href="#">41.2.5</a> <a href="#">61.4.2</a>
<b>SUBJECT</b> Notification Procedures		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to specify the circumstances requiring the notification of certain organizations or entities outside the Department and to establish procedures to be followed in these circumstances.

**II. NOTIFICATION PROCEDURES**

**A. Justice of the Peace ([41.2.5](#))**

1. A Justice of the Peace shall be notified in the following cases:
  - a. When a person dies while in custody of the Department or any member of the Department.
  - b. When any person is killed or dies from any unnatural cause or dies in the absence of one or more good witnesses.
  - c. When the body or remains of a human being is found, and the circumstances of death are unknown.
  - d. When the circumstances of the death of any person are such as to lead to suspicion that he/she came to his/her death by unlawful means.
  - e. When any person commits suicide, or the circumstances of his/her death are such as to lead to suspicion that he committed suicide.
2. When any death under circumstances set out above comes to the attention of any Department member, the body shall not be disturbed or removed from the position in which it is found without the authority of a Justice of the Peace, except for the purpose of preserving the body from loss or destruction or to maintain the flow of traffic on a highway, railroad, or airport.

**B. Street, Highway, or Utilities Personnel ([41.2.5](#))([61.4.2](#))**

1. In the event of a major storm, accident, or other situation in which essential services are disrupted and/or roadways are rendered impassable or unsafe, the proper agency or department shall be promptly notified to restore services, repair damage, and assist in removal of debris from the roadway.



2. During icy weather, the Street or Highway Department (depending on the location) shall be notified of ice forming on bridges and road surfaces which create hazardous driving conditions.
3. When non-public utility lines (telephone, television cable, etc.) are damaged or in need of repair due to severe weather, accidents, or other cause, the appropriate company shall be promptly notified so that repairs can be made.
4. Officers encountering utility line damage and impassable or unsafe roadways shall notify the on-duty patrol supervisor as well as the communications operator.

C. News Media

1. In situations involving a major disruption, rerouting, or severe congestion of traffic, the local news media should be notified with a request to inform the public to avoid the affected area.
2. The decision to notify the news media in these cases shall be the responsibility of the shift supervisor or officer in charge. The news media to be notified will depend on the nature and extent of the problem.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-19.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Next-of-Kin Death Notification	<b>CALEA</b> <a href="#">55.2.6</a>
<b>SUBJECT</b> Notifying Next-of-Kin		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedure to ensure notification of the next-of-kin of deceased, seriously injured or ill persons, and arrested juveniles who come to the attention of the Department.

**II. POLICY**

It is the responsibility of the Department to notify the next-of-kin in certain situations in which a person is fatally or seriously injured, taken into custody, or otherwise incapacitated. It is the responsibility of the officer handling the incident to either make or arrange for another officer to make the appropriate notifications. These types of notifications shall be carried out promptly and in a considerate manner.

**III. NOTIFICATION PROCEDURES**

- A.** Notification of parents or guardian (in cases involving juveniles) or the next-of-kin shall be made as soon as possible for the following persons:
- 1.** Accident Victims: Notification must be made in all cases in which the victim is deceased. In other accident cases, notification shall be made at the request of the victim or at the discretion of the officer.
  - 2.** Arrested Juveniles: The parent, guardian, or other family member and appropriate school officials shall be notified as soon as possible after a juvenile is taken into custody. Notification of school officials shall be made pursuant to General Order 04-19 (Juvenile Procedures).
  - 3.** Juvenile Victims: The parent, guardian, or other family member shall be notified when a Department member becomes aware that a juvenile has been victimized by a criminal act.
  - 4.** Injured Prisoners: When a prisoner, in custody of the Department, becomes seriously injured or ill, or is otherwise unable to act in his/her own behalf, the next-of-kin shall be notified.

5. Victims of Criminal Acts: When the victim of a criminal act is unable to act on his/her own behalf, the next-of-kin shall be notified.

**B. Means of Notification**

1. In Person: Notifications involving a death shall be made in person when the next-of-kin resides within the City unless extenuating circumstances preclude notification in person. Officers should utilize the services of the Department Chaplain to assist in making death notifications, when possible.
2. By Telephone: Required notifications for other than death may be made by telephone.
3. By Outside Agency: When the next-of-kin resides outside the Bryan-College Station area, notification shall be performed by requesting the appropriate law enforcement agency to make the notification. Complete details concerning the incident shall be supplied via teletype or facsimile transmission, including the authorizing officer's name and the Department's phone number.

**C. Notification for Other Agencies**

1. Requests from other law enforcement agencies to notify the next-of-kin must be accompanied by a teletype or facsimile message including full details of the incident, the authorizing officer's name and Department phone number.
2. Notifications for other agencies shall be performed according to the procedures established in this directive.

**D. Patrol Supervisors shall ensure that:**

1. Required notifications are made as soon as possible. (In cases involving a member of the Department, the notification shall be made by a supervisor.)
2. The proper persons are notified.
3. The notification of or attempt to notify the next-of-kin is mentioned in the accompanying report of the incident. The date, time, officer making the notification, and the person notified shall be included in the report

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>REVISED</b> January 14, 2004	<b>NUMBER</b> 04-20.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Intake Specialist	<b>CALEA</b>
<b>SUBJECT</b> Desk Duties		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish department policy and procedures governing the duties and responsibilities of the Intake Specialist.

**II. DEFINITIONS**

**Intake specialist** – A civilian employee whose duty assignment involves staffing the lobby desk and answering telephone inquiries of the Police Department.

**III. POLICY**

It is the policy of the Bryan Police Department to ensure that there is a qualified employee available to handle the needs of the public who come to the Police Department for assistance. The Intake Specialist will handle incidents that are reported in person and will be responsible for handling certain calls by telephone as well as other duties and responsibilities enumerated in this directive.

**IV. REGULATION**

**A.** The front desk shall be staffed by intake personnel 24 hours each day and 7 days a week.

**B.** Duties and responsibilities of intake personnel shall include:

1. Providing general information to the public and routing persons to the proper office within the Department.
2. Taking reports concerning offenses and incidents that are reported in person at the Police Department.
3. Taking telephone reports for certain types of incidents and offenses which do not require the presence of a uniformed officer at the scene.
4. Providing general security for the Police Building especially after normal business hours and on week-ends and holidays.

5. Providing for the evacuation of prisoners in the event of a fire or other emergency requiring evacuation of the Police Building.
6. Regulating entry into secure areas of the building.
7. Performing other tasks as requested by supervisory personnel.

## **V. PROCEDURE**

- A.** Intake Specialists assigned to the desk shall make every effort to address each person who enters the Police Building lobby. When Intake Specialists are busy with other persons or speaking on the phone, the Intake Specialist should try to let each person who needs assistance know that he/she will be with them as soon as possible.
- B.** At midnight, Intake Specialists should ensure that the entry door to the lobby area is locked. Access to and from the lobby will be controlled via a remote locking device activated from the desk position.
- C.** Offense or incident reports which may be handled by Intake Specialists via telephone or in person include:
  1. Assault reports not involving visible injury.
  2. Criminal Mischief reports not requiring photographs.
  3. Burglary of Motor Vehicle reports for insurance purposes only.
  4. Criminal Trespass reports when suspect is not on scene.
  5. Theft reports which do not involve crime scene or evidence processing.
  6. Forgery and Credit Card Abuse reports.
  7. Theft by Check reports.
  8. Harassment and Stalking reports.
  9. Unauthorized Use of Motor Vehicle and Stolen Vehicle reports.\*
  10. Runaway or Missing Persons reports.\*
  11. Reports for insurance purposes only.
  12. Reports involving lost property.
  13. Supplemental information to previous reports.

\* These reports will only be taken in person at the desk.

- D.** Calls which fall into the above categories may be referred to the intake desk. When an Intake Specialist is temporarily unavailable to take the call, the call shall be entered into the computer aided dispatch and the complainant shall be advised that the call will be handled as soon as the next Intake Specialist becomes available. A phone number will be taken where the complainant can be contacted as soon as possible by the next available Intake Specialist. When Intake is or will be unavailable for an extended or indefinite period or when this procedure is not acceptable to the complainant, the call will be dispatched to a uniformed officer utilizing normal call assignment procedures.
- E.** If, during the telephone interview with a complainant, the Intake Specialist determines that the call does not meet the criteria or there is a need for an on-scene investigation, the call will be referred for assignment to a uniformed officer.
- F.** Intake Specialists will not be utilized to handle any type of call requiring police intervention under the following conditions:
1. The offense or incident is in progress.
  2. The suspect is still at the location or in the vicinity.
  3. There is property or evidence which needs to be examined, confiscated, or processed at the scene.
  4. There are injured persons involved who are in need of assistance.
  5. The reporting person is not the victim or complainant and cannot supply all necessary information to complete the report.
  6. The reporting person demands to have a uniformed officer respond to the scene
- G.** For those types of cases which require supporting documentation by the complainant (theft of rental property, unauthorized use of vehicle, etc.) the complainant will be instructed to bring the necessary documents (rental agreement, vehicle titles, etc.) to the Police Department to be examined by Intake and/or attached to the report.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-21.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Bank Alarms	<b>CALEA</b>
<b>SUBJECT</b> Bank Alarms		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedures for responding to robbery alarms at banks and other financial institutions.

**II. POLICY**

It shall be the policy of this Department to treat alarms at banks as a robbery in progress until the responding officer or the communications personnel has sufficient cause to believe the alarm is not valid. Patrol and communications personnel shall adhere to the response procedures established in this directive. The intent of this policy and procedure is to maximize the chances of apprehension while minimizing the possibility of a hostage situation or injury to officers or other persons.

**III. PROCEDURES**

**A.** When the Department receives a robbery alarm from a bank or other financial institution, the following procedures shall be followed:

1. When available, two officers should be assigned to respond.
2. Assigned officers shall respond Code 2 in accordance with General Order 04-13 (Response Procedures) unless there is sufficient justification for a Code 3 response.
3. Responding officers shall utilize “invisible deployment” tactics taking positions of cover and concealment on opposite corners of the building, when possible, for optimum observation of entrances to the building.
4. Officers should observe the building and surrounding area long enough to determine whether there is any suspicious activity, persons, or vehicles in the vicinity. Officers should be especially aware of a lack of traffic coming out of the building which may indicate a robbery in progress.
5. Communications personnel will contact the designated bank official to verify the alarm after all assigned officers have arrived at the scene. Communications personnel should

not identify themselves as Police Department personnel until they have the designated bank official on the phone.

6. If the alarm is determined to be valid (robbery in progress):
    - a. The dispatcher shall inform the officers on the scene and shall dispatch additional officers and a supervisor to the scene.
    - b. A command level officer (Bureau Commander or Chief) shall also be notified.
    - c. Officers on the scene shall maintain positions of cover and concealment.
    - d. Additional responding officers shall also use “invisible deployment” tactics to surround the building.
  7. The objective is to apprehend the actor(s) outside the building as they leave, in a position where the actor(s) cannot retreat into the bank or take a hostage.
  8. If communications personnel determine the alarm is invalid after contacting the designated bank official, the bank official will be instructed to meet the officer outside the bank at a location to be determined by the officer. The dispatcher shall obtain a physical and clothing description of the bank official to relay to the officer for identification purposes.
  9. The officer will contact the bank official at the designated location outside the bank, confirm his/her identity, and will enter the building only after being convinced the alarm is false.
- B.** Communications personnel shall have ready access to and shall maintain and periodically update the following information:
1. Name of the bank or financial institution.
  2. Location and address of the building and any branch facilities.
  3. Names and phone numbers of a least two bank officials who can be contacted to verify a robbery alarm.
  4. Operating hours.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 7, 1988	<b>NUMBER</b> 04-22.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Robbery Response	<b>CALEA</b>
<b>SUBJECT</b> Robbery Response		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the patrol response to a robbery report of alarm at locations other than banks or financial institutions.

**II. POLICY**

Officers responding to robbery reports or alarms shall presume that the robbery is in progress unless and until there is sufficient reason to believe otherwise. Response by officers shall be conducted in a manner to maximize the chances of apprehending the offender while minimizing the possibility of a hostage situation or injury to the law officers or other persons.

**III. PROCEDURES**

**A. Robbery in Progress**

1. When available, a minimum of two officers shall be assigned to respond to a robbery in progress.
2. Assigned officers shall respond Code 2 in accordance with General Order 04-13 (Response Procedures) unless there is sufficient justification for a Code 3 response. Officers should avoid use of a siren in the proximity of the robbery location to prevent forewarning the actor(s) of the officer's approach.
3. Responding officers should utilize "invisible deployment" tactics, taking positions of cover and concealment on opposite corners of the building to optimize observation of entrances to the location.
4. Officers shall observe the location in an attempt to determine whether the offense is still in progress and a suspect is present before approaching the building.
5. If the responding officers determine that a robbery is in progress, additional assistance and a supervisor shall be requested.

6. Additional officers shall also employ “invisible deployment” tactics to surround the building at the direction of the officers on the scene until a supervisor arrives to assume command.
7. The objective is to apprehend the actor(s) outside in a position where the actor(s) cannot retreat into the building and take hostages.

**B. Robbery Just Occurred, Suspect Not at Scene**

1. Upon receiving a report of a robbery that has just occurred and the suspect has fled the scene, one officer should be dispatched to the scene to contact the victim(s) and conduct a preliminary investigation in accordance with General Order 04-14 (Preliminary Investigation). The officer responding to the scene should determine a complete description of the suspect(s) and any involved vehicles as soon as possible after arrival for broadcast to all other units.
2. All other available units in adjoining patrol areas should begin a systematic search for the suspect(s) rather than responding to the scene.
3. Supervisory personnel should coordinate the area search and if needed, respond to the scene to take command of the crime scene investigation.
4. Available units in non-adjoining patrol areas should set up surveillance on major escape routes which might be used by the suspect(s) unless directed otherwise by supervisory personnel

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 27, 2005	<b>NUMBER</b> 04-23.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Burglary Response Open Doors	<b>CALEA</b>
<b>SUBJECT</b> Burglary Response		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the patrol response to possible or actual burglaries in progress.

**II. DEFINITIONS**

**Building** - Means any enclosed structure intended for use or occupation as a habitation or for some purpose of trade, manufacture, ornament, or use. (Texas Penal Code, Sec. 30.01 (2))

**III. POLICY**

A burglary in progress may come to the attention of the Department through a citizen report, an alarm, or an on-view discovery by an officer. In many cases, it is not possible to determine whether a suspect is still at the scene or has escaped prior to the arrival of officers. Unless there is sufficient cause to believe otherwise, officers should assume the suspect is still within the premises.

It is the policy of the Bryan Police Department that the patrol response to such incidents shall be conducted in a manner calculated to maximize the chances of apprehension of the suspect and to minimize the potential for injury to officers and other persons.

**IV. PROCEDURES**

**A. Response to Burglar Alarms or Reports.**

1. Normally, only one patrol unit will be assigned to respond to an unconfirmed burglary or intrusion alarm. Officers assigned to a burglar alarm or report of a burglary in progress shall respond Code 2 in accordance with General Order 04-13 (Response Procedures), making a silent approach to the location and parking the patrol unit so as not to forewarn the suspect(s) of the officer's arrival.
2. The location shall be assessed to determine if an unlawful entry has occurred.
3. If an entry has occurred, the officer shall secure the perimeter and entry points, notify communications, and request a back-up and a supervisor.
4. Additional officers responding to the scene shall approach in the same manner as the original officer and shall be responsible for securing the perimeter of the building at the direction of the first officer until a supervisor assumes command.

5. When possible, contact with the owner or manager of the building should be attempted prior to entry by officers. The owner / manager should be able to confirm the unlawful entry and supply keys and consent to facilitate entry by officers.
6. The on-scene supervisor shall be responsible for planning the search of the building, utilizing the necessary number of officers to conduct the search while maintaining the perimeter security. The safety of the officers shall be paramount. The owner/manager should not be allowed to enter until it is determined safe to do so.
7. The building should be searched systematically at the direction of the supervisor.

**B. Open Doors**

1. Officers locating open doors on buildings that are not then open to the public shall notify communications of the location and circumstances.
2. The officers shall then assess the situation from the exterior of the building in an attempt to determine if a burglary has occurred or may be in progress.
3. The officer shall request back-up if needed.
4. An officer will never conduct a building search without a back-up officer.
5. Officers on the scene may conduct a building search if sufficient justification exists for the search.
6. When possible, contact with the owner or manager of the building should be attempted prior to entry by officers. The owner/manager should remain outside the building until it is determined to be safe for him/her to enter

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> September 7, 1988</p>	<p><b>NUMBER</b> 04-24.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Family Violence Domestic Dispute Protective Orders Stand-by Request</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Family Violence</p>		
<p><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the handling of family violence and domestic disturbance situations.

**II. DEFINITIONS**

**Family Violence** – An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, or assault, or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, or assault, excluding the reasonable discipline of a child by a person having that duty, or abuse as defined by Family Code.

**Family** – Includes individuals related by consanguinity or affinity, individuals who are former spouses of each other, individuals who are the biological parents of the same child, without regard to marriage or legitimacy, and a foster child and foster parent, whether or not those individuals reside together.

**Household** – Means a unit composed of persons living together in the same dwelling, whether or not they are related to each other.

**Protective Order** – An order issued by a court of competent jurisdiction which may, among other things, prohibit a party from: committing family violence, directly communication with a member of the family or household in a threatening or harassing manner, or going to or near the residence or place of employment or business of a member of the family or household.

**Former Member of a Household** – Means a person who previously lived in a household

**III. POLICY**

Family violence is a serious danger and threat to society and its members. Victims of family abuse are entitled to the maximum protection from harm or abuse or the threat of harm or abuse as is permitted by law. Officers responding to situations involving allegations of family violence shall protect the victim, without regard to the relationship between the alleged offender and victim. An officer’s duty to prevent the commission of criminal offenses, including acts of

family violence, is not waived or accepted because of a family or household relationship between the potential violator and victim.

#### **IV. DUTIES OF THE OFFICER**

- A.** The duties of a police officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence are to:
  - 1. Protect any potential victim of family violence.
  - 2. Enforce the law.
  - 3. Make lawful arrests of violators.
- B.** The officer shall advise any possible adult victim of all reasonable means to prevent further family violence, including:
  - 1. Written notice of a victim's legal rights and remedies.
  - 2. The availability of shelter and other community services for family violence victims.
- C.** The written notice required above is available in the form of a hand out card supplied by the Department.
- D.** The officer who investigates a family violence incident or who responds to a disturbance call that may involve family violence shall make a written report, including but not limited to:
  - 1. The names of the suspect and complainant.
  - 2. The date, time, and location of the incident.
  - 3. Any visible or reported injuries.
  - 4. A description of the incident and a statement of its disposition.
  - 5. Conduct preliminary investigations as required in General Order 04-14 (Preliminary Investigations), paying particular attention to victim / witness statements, photographs of injuries, and obtaining medical release forms.

#### **V. PROCEDURES**

- A.** Domestic disturbance calls should be assigned to two officers. A single officer should not answer a domestic disturbance call without a back-up unless immediate intervention is necessary to prevent an assault or other act of family violence.
- B.** Officers responding to a family disturbance should:
  - 1. Take charge of the situation immediately.
  - 2. Separate the involved parties to prevent assault.

3. Control access to weapons and the movement of all persons involved.
4. Attempt to ascertain the facts of the dispute by allowing each person to explain his/her version of the quarrel.
5. Avoid embarrassing the disputants in front of any children who may be present.
6. Remain impartial and tactful in an effort to reduce tension and find a peaceful resolution to the dispute.

#### **C. Entry and Intervention**

1. Where one of the parties to a domestic dispute requests police intervention, the officers may enter the premises over the objection of the other party(s).
2. Where one party is locked out by the other party, the officers shall not assist the evicted party in making a forcible entry.
3. Where both parties to a domestic dispute refuse to admit the officers, the officers shall respect their wishes unless there are reasonable grounds to believe that their presence is necessary to prevent an assault or other act of family violence.
4. If both parties to a domestic dispute request the officers to leave, the officers shall do so unless there are reasonable grounds to believe that their presence is necessary to prevent an assault or other act of family violence.
5. If either party involved in a domestic dispute is a member of the Department, a supervisor will respond to the location and ensure that all proper procedures are followed and circumstances fully documented. The supervisor will make notifications as required by General Order 04-18 (Notification Procedures).

#### **D. Protective Orders**

1. Officers who are made aware of the existence of a protective order (issued under the Texas Family Code) upon responding to the scene of a domestic disturbance should first examine the order to determine the expiration date and the conditions of the order which may have been violated. If determined to be valid, the order shall be enforced immediately as per the Texas Penal Code.
2. Violation of a temporary order issued under the Texas Family Code does not constitute grounds for arrest for violation of a protective order. However, if a person has been served with a temporary protective order and the language in the order prohibits that person from going to the residence, place of employment or business of a member of the family, the person may be arrested for criminal trespass if the violation occurs in the presence of the officer.
3. Divorce decrees are civil in nature. Enforcement of a divorce decree is not the responsibility of a police officer. Officers shall not undertake any enforcement action when presented with a legal document entitled "Divorce Decree and/or Settlement."

4. Persons arrested for an offense involving Family Violence may be held for a period of not more than four hours after bond has been posted, if there is probable cause to believe the violence will continue if the person is immediately released. This period may be extended only if authorized in a writing directed to the person having custody of the detained person by a magistrate who concludes that the violence would continue if the person is released.
5. In no way may such a period of detention exceed 24 hours

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 7, 2004	<b>NUMBER</b> 04-25.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Roadblocks	<b>CALEA</b> <a href="#">61.3.4</a>
<b>SUBJECT</b> Roadblocks		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and guidelines regarding roadblocks.

**II. DEFINITIONS**

**Roadblock** – Temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or their contents or to interview drivers.

**III. POLICY**

It is the policy of the Bryan Police Department that roadblocks may be utilized under certain conditions to apprehend suspects fleeing from the scene of a felony offense or attempting to evade arrest for a felony offense, or to control ingress and egress at the scene of a major crime, disaster, or emergency. To the extent possible, roadblock operations shall be preplanned; officers shall be familiar in roadblock techniques and properly equipped to set them up. The decision to activate a roadblock plan shall be based on the seriousness of the crime or emergency, availability of sufficient information and descriptions of wanted persons and vehicles, and the amount of time elapsed between the criminal act and its discovery.

**IV. PROCEDURES (61.3.4)**

**A.** The following roadblock techniques are recognized by the Department:

1. Fixed Roadblock: Physical obstruction of a roadway at a specific point utilizing barricades, vehicles, or other devices to prevent passage and affect the arrest of a felony suspect.
2. Moving Roadblock: Use of a moving police vehicle to force a suspect vehicle to stop.
3. Traffic Checkpoint: Temporary stoppage of traffic at a specific location while the occupants and/or contents of a vehicle are checked.
4. Road Hazard Roadblock: Use of barricades or vehicles to prevent passage beyond a specific point on a roadway due to a hazardous condition.
5. Circle System Roadblock: Use of several fixed roadblocks or traffic checkpoints to prevent the escape of a suspect from a given geographical area.

**B. Fixed Roadblocks**

1. Fixed roadblocks shall be used only as a last resort to apprehend a dangerous felony suspect when the use of deadly force is justified by Department policy.
2. Fixed roadblocks may be used only on the authority of a supervisor.
3. Firearms may be made ready for use at a fixed roadblock.

**C. Moving Roadblocks**

1. Moving roadblocks shall be used only on the authority of a supervisor when all other efforts to stop a vehicle have failed and the vehicle poses a threat to human life.
2. Moving roadblocks shall be used only when the use of deadly force is justified by Department policy.

**D. Traffic Checkpoints**

1. Traffic checkpoints shall be used only on the authority of a supervisor for the purpose of apprehending a felony suspect who is fleeing from the scene of a crime or attempting to evade arrest; to control ingress and egress at the scene of a major crime, emergency, or disaster.
2. Traffic checkpoints shall not be employed as a means of general or specific traffic law enforcement without the approval of the Field Operations Bureau Commander or the Chief of Police.

**E. Road Hazard Roadblocks**

1. Road Hazard roadblocks shall be established by any officer who identifies a need to block a street to protect the public from an actual or potential hazard, such as flooding, traffic accident, downed power lines, trees, etc.
2. Upon establishing a road hazard roadblock, the officer shall notify a communications center and a field supervisor.
3. The field supervisor shall assess the situation to determine the need for additional assistance, barricades, etc.
4. A road hazard roadblock will be removed only by the authority of a supervisor unless the hazard itself has been removed or corrected.

**F. Circle System Roadblock**

1. A circle system roadblock may be utilized when a felony suspect is known to be within a limited geographical area.
2. A circle system roadblock involves the use of several fixed roadblocks or traffic checkpoints to block every conceivable avenue of escape.
3. A circle system roadblock shall be authorized and coordinated by a field supervisor or command level officer.

- G.** To the extent possible, discretion shall be used in selecting roadblock locations taking into consideration the potential for public endangerment, which shall be reduced to a minimum.
- H.** Roadblocks should be located on flat, straight roadways and should afford considerations for traffic speed, stopping distance, and the orderly flow of traffic.
- I.** Roadblocks shall be well lighted and clearly visible to approaching traffic, utilizing emergency light systems, spotlights, road flares, and other lighting equipment if available.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 10, 2005	<b>NUMBER</b> 04-26.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b>  Mentally Ill	<b>CALEA</b>  41.2.8
<b>SUBJECT</b> Emotionally and Mentally Unstable Persons		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure regarding the handling of mentally ill persons.

**II. DEFINITIONS**

**Emergency admission** - A statutorily prescribed process by which a health or peace officer, who has probable cause to believe that a person is mentally ill and is therefore likely to injure himself or others if not immediately restrained, may take such person into custody and immediately transport such person to the nearest appropriate hospital for temporary detention.

**Mentally ill person** – A person who by their actions, conduct, and speech would appear to a reasonable and prudent person not to be in control of their emotional and/or mental faculties. A person whom the officer personally knows to be under professional treatment for emotional or mental disorders. A person whom the officer, based upon reliable information or documentation, can determine to be emotionally or mentally unstable.

**III. POLICY**

It is the policy of the Bryan Police Department to protect an emotionally or mentally unstable person from harming themselves or others. When an officer has probable cause to believe that an emotionally or mentally unstable person presents an immediate threat of harm to themselves or another, that person shall be taken into custody and transported to a facility where trained professionals can evaluate the emotional and mental status of that person.

**IV. RULE/REGULATION**

**A.** Incidents involving an emotionally or mentally unstable person require tactful, patient, and understanding responses. To the extent possible, an officer should:

1. Attempt to learn as much as possible about the subject and the situation by talking with the subject, his family, friends, and witnesses.
2. Respond, regardless of the circumstances, in an objective, unexcited, non-abusive, and non-threatening manner in order to calm and control the subject.

3. Attempt not to deceive the subject. Deception may hinder any chance of establishing trust and endanger the subject's potential for recovery.
- B.** Although the law limits the degree to which an officer can intervene, the officer shall take lawful action in an attempt to:
1. Protect himself, the public, and the subject from harm.
  2. Prevent property damage.
  3. Provide a stabilizing force in any conflicts which may arise from the actions of the subject.
  4. Aid the subject in acquiring proper medical attention.
- C.** An officer who confronts a person he believes to be emotionally or mentally unstable must exercise discretion and good judgment, based upon the facts available to him at the time, as whether to arrest, take custodial control, place the subject in the care of some responsible sponsor, or simply allow the subject to continue on his own.
- D.** All newly hired employees shall receive training on dealing with mentally ill persons. All full time employees will receive refresher training at least every three years.

## **V. PROCEDURE**

### **A. Police Response - Individual (Non-Hospital) Calls for Assistance**

1. At least two officers shall be dispatched on calls for assistance regarding emotionally unstable or disturbed persons.
  - a. Communications may, based upon information received at the time of the call, dispatch additional officers to the scene.
  - b. A lone officer who encounters a person he believes to be emotionally unstable should request a back-up officer as soon as possible.
2. If the officers suspect the person to be a mental patient who is absent from the hospital without authorization, they shall inquire into this possibility and:
  - a. Return him to the hospital if he is wanted by the hospital. (A wanted person would be one under court ordered commitment and who is now on unauthorized leave.)
  - b. Offer to return the patient if he is missing from the hospital. (A missing person is one under voluntary commitment who is absent from the hospital.)
3. If the person is on authorized leave from the hospital but is now exhibiting symptoms which lead officers to believe he should be returned to the hospital, officers shall:
  - a. Suggest to relatives that he be returned.
  - b. Return the subject if he is under court-ordered commitment.
  - c. Advise the subject to return if he is under voluntary commitment. If he refuses and is a threat to himself or others, take him into protective custody in accordance with the procedures outlined in paragraph f. below.

- d. If an officer must control and restrain a subject, he shall use a reasonable amount of force in accordance with Bryan Police Department General Order 21-02.2 (Use of Force)
  - e. When handling a non -violent emotionally or mentally ill person the officer shall:
    - (1) Attempt to locate responsible relatives or friends who will attend to the needs of the subject.
    - (2) If asked for advice, provide information to the subject or responsible persons about the availability of voluntary hospitalization.
4. When a mentally ill person's behavior is such that confinement is necessary in order to prevent him from harming himself, harming another person, or committing a crime, the officer shall:
- a. Take the person into protective custody for the purpose of transporting him to College Station Medical Center or St. Joseph Hospital for examination by a licensed physician. Such emergency apprehension requires the officer to be capable of articulating:
    - (1) Why he believes the individual is mentally ill.
    - (2) Why he believes it is necessary to apprehend and restrain the individual.
    - (3) Why he feels it is necessary to confine the individual to an in-patient mental health facility.
    - (4) Why he feels there is not sufficient time to obtain a warrant.
  - b. If an Emergency Detention Order is issued, the officer shall remain with the person and shall contact the attending physician for referral to MHMR providing information involving the circumstances of the apprehension. The officer shall remain with the person until they are released by MHMR or turned over to the Sheriff's Department for transport.
  - c. If admitted, turn the person over to hospital authorities.
    - (1) If violent, the officer shall remain with the person as long as his/ her presence is needed to ensure the safety of the patient or other persons.
    - (2) If voluntary, the officer is relieved of his/ her responsibility for the patient.
  - d. If the person is not admitted after the preliminary examination, by law, arrangements shall be made for the immediate return of the person to the location where the custody occurred, the person's residence, or other suitable place, unless the person is arrested for a criminal offense or objects to the return.
  - e. File a complete detailed report of the incident including;
    - (1) The reason for taking the person into custody.
    - (2) The location and circumstances of the apprehension.
    - (3) Names and addresses of witnesses.
    - (4) Names of officers involved.
    - (5) Any other relevant information.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 12, 1990	<b>NUMBER</b> 04-27.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Disturbance Calls	<b>CALEA</b>
<b>SUBJECT</b> Disturbance Calls		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy concerning the Department’s response to disturbance calls.

**II. DEFINITIONS**

**Disturbance** – An incident involving an actual or potential breach of the peace.

**III. POLICY**

It is the policy of this Department to provide a timely response by a police officer to all reported disturbances in which there is an on-going breach of the peace, assault or threat of assault, property damage or threat of property damage, and in any case in which the person reporting the disturbance indicates that there is reason to believe that a police presence is necessary to quell or prevent a disturbance and to protect persons and property from actual or potential harm.

In cases where the disturbance is no longer in progress and the person causing the disturbance is not present and does not pose an imminent threat, the incident may be handled by telephone or in person at the police station by the intake specialist or police officer on duty at the intake desk. Reporting persons and/or complainants shall be provided with proper instructions regarding the filing of complaints resulting from the disturbance as well as documenting the facts of the case for reporting purposes.

Disturbance cases involving family violence shall be handled in accordance with General Order 04-24 (Family Violence).

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> August 1, 1998	<b>NUMBER</b> 04-28.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Minors  Driving Under the Influence of Alcohol	<b>CALEA</b>
<b>SUBJECT</b> Juvenile DUI		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policies and procedures for officers when dealing with persons under the age of 21 who are operating a motor vehicle in a public place while having any detectable amount of alcohol in his/her system, but is not legally intoxicated.

**II. DEFINITIONS**

**Minor** – a person 10 years of age or older, but under the age of 21.

**III. POLICY**

Anytime an officer has probable cause to believe that a driver is intoxicated under the law, the driver will be arrested and handled according to DWI procedure. If the driver is a minor, is not legally intoxicated, but has a detectable amount of alcohol in his/her system, they will be handled according to the following procedures.

**IV. PROCEDURES**

**A. Drivers who are at least 17 years of age:**

1. If the officer finds that the driver is not legally intoxicated, but does have a detectable amount of alcohol in his/her system, the driver shall be cited and released to a parent of guardian if possible.
2. If a parent of guardian is not available, the minor shall be released to a responsible adult.

**B. Drivers under the age of 17:**

1. Officers dealing with drivers under the age of 17 who have a detectable amount of alcohol in their system but are not legally intoxicated, shall attempt to contact a parent of guardian.
2. If a parent or guardian is available, the driver should be cited and released to the parent or guardian.



3. If there is no parent or guardian available, the driver shall be taken into custody, and transported to the Brazos County Juvenile Detention Center.

**C. Vehicles**

1. In all cases the officer should release the vehicle to the parent, guardian, or owner of the vehicle.
2. If the vehicle is legally parked and no parent, guardian, or owner is available, the vehicle should be secured at the scene unless:
  - a. The driver requests that the vehicle be towed.
  - b. The driver is between the ages of 17 and 21, and the driver is being released to a responsible adult. In this case the vehicle may also be release to the responsible adult.
3. If the vehicle is not legally parked, and cannot be released under the provisions above, the vehicle should be towed by a rotation wrecker.

**D. Reporting**

1. As with all violations of the law, reporting requirements are the critical issue in prosecution. Officers shall note all evidence of the alcohol consumption, including odors, containers, performance on sobriety tests, etc.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 13, 2005	<b>NUMBER</b> 04-29.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Bias Based Profiling Racial Profiling	<b>CALEA</b> <a href="#">1.2.9</a> <a href="#">41.2.8a</a>
<b>SUBJECT</b> Bias Based Profiling		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The practice of Bias Based Profiling by law enforcement personnel undermines legitimate law enforcement efforts and may lead to claims of civil rights violations. It may alienate citizens and foster distrust of law enforcement within the community. This directive strictly prohibits the use of bias based profiling by employees of the Bryan Police Department. [\(1.2.9\)](#) The directive content identifies specific acts that would be considered bias based profiling, and outlines procedures to address requirements of Chapter 2, Article 2.131 through 2.135 of the Texas Code of Criminal Procedure.

This directive does not prohibit police personnel from stopping or detaining individuals if a specific report exists in which an individual’s race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation is a factor in determining the existence of probable cause for taking police action..

**II. DEFINITIONS**

**Arrest** – To deprive a person of his/her liberty by legal authority.

**Bias Based Profiling (Racial Profiling)** – A law enforcement-initiated action based on an individual’s race, ethnicity, national origin, rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity. This also includes, but is not limited to, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group. For purpose of this directive the term may be used interchangeably with the term “racial profiling”.

**Detention** – Any restriction upon a person’s liberty imposed by a peace officer, based upon reasonable suspicion. If the individual is not free to go, the individual will be considered detained.

**Pedestrian Stop** – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

**Race or Ethnicity** – Heritage of a particular descent, including Caucasian, African, Hispanic, Asian or Native American descent.

**Seizure** – Any taking of property from an individual without the individual’s consent or any restriction of an individual’s liberty without the individual’s consent. A detention will be considered a seizure, as will an arrest.

**Traffic Stop** – The stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

### **III. POLICY**

Members of the Bryan Police Department will not engage in any activities that are discriminatory or indicative of the practice of bias based profiling. Personnel will focus on the conduct of individual and/or specific suspect information in taking police action. Individuals will not be targeted for enforcement action, detention, field contacts, asset seizure and forfeiture efforts, or interdiction solely on the basis of race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group. *(1.2.9a)* Any officer found to have engaged in bias based profiling, following complete investigation, will face appropriate corrective action, which may include diversity training, counseling, or disciplinary measures up to and including indefinite suspension. *(1.2.9c)*

### **IV. PROCEDURES**

#### **A. Data Collection**

1. The Department will maintain a database of information related to traffic stops. Among the information included will be:
  - a. Reason for stop,
  - b. Outcome of stop,
  - c. Race/Ethnicity of driver,
  - d. Sex of driver,
  - e. If the driver is a resident of the City of Bryan,
  - f. If a search was conducted,
  - g. The reason for the search (if conducted), and
  - h. Result of the search (if conducted).

#### **B. Data Report**

1. The Crime Analyst shall prepare an annual report of agency practices based on the data collection in section IV, A. and shall submit it to the Chief of Police for administrative review. *(1.2.9d)* The purpose of the report shall be:
  - a. To identify any possible existence of Bias Based Profiling by police officers within the Bryan Police Department,
  - b. To examine the disposition of traffic stops identified in IV. A. above, and
  - c. To compile information relating to each complaint filed with the agency alleging that an officer has engaged in Bias Based Profiling.
  - d. To compile an informational listing of citizen concerns and/or comments that has been received.

#### **C. Annual Report**

1. By March 1<sup>st</sup> of each calendar year, the Chief of Police will submit an annual report to the City Manager based upon the information compiled in the data report. This report will not contain information specific to the officer involved or to the individual who was stopped.

#### **D. Video and Audio Equipment**

1. Each motor vehicle regularly used to make traffic stops will be equipped with video camera and transmitter-activated equipment.
2. Each motorcycle used to make traffic stops will be equipped with transmitter-activated equipment.
3. Each traffic and pedestrian stop capable of being recorded will be recorded in its entirety. *(41.2.8a)*
4. Video/Audio tapes will be handled, labeled and stored as outlined in General Order 08-10 (Mobile video & audio Tape Procedures).

#### **E. Responsibilities**

1. Officers
  - a. Officers will follow procedures for traffic stops as outlined in General Order 06-01 (Traffic Enforcement) and General Order 06-02 (Traffic Stops).
  - b. Officers are responsible for ensuring mobile video/audio recording equipment is fully operational throughout their tour of duty. Any equipment failure or repairs needed should be immediately reported to the on duty shift supervisor.
2. Crime Analyst
  - a. The Crime Analyst will maintain and report the data collected for purposes of this directive.
3. Training Coordinator
  - a. The Training Coordinator will provide periodic racial profiling training, to include legal aspects, to personnel as determined appropriate by the Texas Commission on Law Enforcement Officers Standards and Education. *(1.2.9b)*
4. Public Information Officer
  - a. The Public Information Officer will periodically provide education to the public concerning the professional standards complaint process. The education will specifically include the process by which a member of the public may file a complaint if the individual believes an employee of the Department has engaged in bias based profiling with respect to the individual. The P.I.O. will document any citizen concerns or comments expressed.
  - b. Public education concerning the Department's complaint process may be provided in one or more of the following ways:
    - (1) Television interview/report
    - (2) Newspaper interview/articles
    - (3) Public Forums
5. Professional Standards Unit
  - a. The Professional Standards Unit will be responsible for investigating any complaints of bias based profiling filed against any member of the Bryan Police Department.
  - b. If a video or audio recording is made of an incident which is the basis of a complaint, the Professional Standards Unit will provide a copy of the recording to the officer

who is the subject of the complaint. The copy will be provided to the officer upon the officer's written request. The request is to be made in memo form and routed through the chain of command to the Professional Standards Unit.

- c. The Professional Standards Unit will randomly review, at least annually, a video/audio recording of each officer with the intent to determine compliance with this directive.
  - d. The PSU will review all video tapes in which a complaint of bias-based profiling is alleged.
6. Supervisors
- a. Traffic enforcement will be accomplished by consistent, ongoing supervisory oversight to ensure officers do not go beyond the parameters of reasonableness in conducting such activities.
  - b. Supervisors will ensure that officers use video/audio equipped vehicles, unless circumstances deem otherwise.
  - c. Supervisors will randomly review the video/audio recordings of their subordinates in order to assess officer performance and ensure compliance with this and other applicable directives.

**F. Complaint Process**

- 1. Citizens may lodge a complaint of bias-based profiling in the same manner as any other complaint against a Department employee:
  - a. Telephone
    - (1) Professional Standards Unit (2) 911 Dispatch (3) Intake Specialist (4) Supervisor on Duty (5) Any Department employee
  - b. Mail: Bryan Police Department (Attn: Professional Standards Division), P.O. Box 1000, Bryan, TX 77805
  - c. E-mail: Professional Standards Investigator via City of Bryan website
  - d. BPD Web Site: [www.bryantx.gov](http://www.bryantx.gov)
  - e. In person
- 2. Public Education
  - a. The Department maintains brochures (*Complaint Against Department Employees*) for the public that detail the process of lodging a complaint against Department employees and the investigative process.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 14, 2005	<b>NUMBER</b> 04-30.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Case Management Criminal Investigation Cases	<b>CALEA</b> <a href="#">42.1.2</a> <a href="#">42.1.3</a> <a href="#">42.1.5</a>
<b>SUBJECT</b> Case Management		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to establish a caseload management system to be adhered to by the Criminal Investigation Division.

**II. DEFINITIONS**

**Solvability factors** – Information developed during the preliminary investigation of an offense that may provide a basis for determining who committed the crime; a lead or clue.

**III. POLICY**

The Bryan Police Department recognizes that it is unreasonable to expect the police to investigate all crimes. The lack of information and evidence in some cases, along with limitations on investigative resources, makes this an unattainable goal. The investigative resources do not exist to conduct a follow-up investigation on all crimes reported.

A case management system is used to focus investigative efforts more effectively and efficiently on those crimes that are the most serious or have at least some potential for solution, and on those criminals who are considered repeat, habitual, or career offenders. Cases will be assigned without regard to the area of the City in which the crime occurs.

**IV. PROCEDURES**

**A. Case Screening**

1. The commanding officer of the Criminal Investigation Division, or his/her designee, shall screen each crime report routed to C.I.D. to determine whether the case warrants follow-up investigation based on:
  - a. The seriousness of the offense
  - b. The existence of solvability factors
  - c. The value of loss
  - d. Other Department or Community considerations
  - e. The availability of investigative resources

2. Solvability factors are weighted on a point system as follows:

a. Complainant does not wish to prosecute	00
b. A suspect was arrested	50
c. A suspect vehicle can be identified	30
d. Major injury / rape / robbery was involved	20
e. Cases involves a runaway / missing person	20
f. Crime involved a loss greater than \$10,000	20
g. A suspect can be named	35
h. Victim is willing to prosecute	10
i. Limited opportunity to commit the crime	20
j. Suspect's location is known	20
k. There is a witness to the offense	20
l. Offense involved theft of traceable property	20
m. Offense involved a significant M.O.	20
n. The crime was recorded by video or photograph	40
o. Related crimes have been reported	20

3. Cases with solvability factors totaling below 50 generally will not be assigned to investigators for follow-up investigation.

4. Case prioritization

- a. Violent crimes take precedence over property crimes
- b. Felonies take precedence over misdemeanors
- c. Series of related crimes take precedence over single occurrences
- d. UCR Part I crimes take precedence over Part II crimes.
- e. Crimes involving a known habitual offender takes precedence over crimes involving non-habitual offender

**B. Case Assignment**

1. For each case assigned to an investigator for follow-up investigation, one (1) officer will be designated as the primary case officer.

2. Major case investigations may warrant the assignment of one or more secondary case officers to assist in the investigation.

- a. A CID supervisor will respond when notified of a major crime and will provide investigative oversight for the duration of the case.
- b. Major crimes include:
  - (1) Homicide
  - (2) A life threatening injury is sustained during a sexual assault, robbery, burglary, or kidnapping.
  - (3) Any death of a sudden, suspicious, unusual, or unnatural nature where foul play may be suspected.
  - (4) Any police involved shooting/death occurring within the Department's jurisdiction.
  - (5) Any crime involving a Department employee as a suspect.
  - (6) Other cases as specifically designated by the CID Lieutenant, Bureau Commander, or Chief of Police.

3. Cases forwarded to CID from the records section shall be reviewed for assignment in accordance with this chapter and shall ensure the following is recorded manually or by computer;
  - a. case number
  - b. date case assigned for investigation
  - c. name of the investigator assigned the case
  - d. final disposition of the case.
4. Cases requiring specialized skills, knowledge or ability are assigned to officers having that expertise. This is normally accomplished by assigning cases on the basis of established categories of responsibility; however, cases may be assigned outside the normal category where an individual officer has special expertise. Otherwise, cases are assigned based on investigator availability and workload.
5. Qualified officers may be assigned to assist with or handle cases outside their normal areas of responsibility when necessitated by workload, scheduling or other circumstances.
6. Each Investigator shall maintain an unlocked "active" case file in which cases are maintained by case number according to case status or priority;
  - a. The case shall be in the prescribed labeled folder and contain all investigative reports, notes, pictures, etc.
  - b. This file shall not contain evidence, cleared, or inactive cases. Case copies of cleared or inactive cases may be retained by the investigator in another location. Cleared or inactive cases shall not be kept by the investigator in another location.
  - c. Original reports shall not be kept by an investigator.
  - d. Case files shall be accessible only to law enforcement personnel on a need to know basis.
  - e. Once a case is closed by clearance or inactivation, all photographs shall be placed into evidence and any original documents sent to central records for inclusion in the master file.
7. Each investigator and crime scene technician shall complete a daily activity report which consists of each day's performance. Logs will be provided for this purpose.
8. CID supervisors will conduct a monthly review of their subordinate's caseloads. Written instructions dictating required activities and timelines will be provided, if needed.

#### C. Prioritization

1. The extent of follow-up will be determined by the application of solvability factors that are present and the degree of seriousness given to the incident.
2. Each case, in turn, is measured against all other cases assigned to the detective to help determine the amount of future follow-up.

#### D. Case Designation

1. Cases shall be designated as:
  - a. Active - Cases that have been assigned and are under current investigation.
  - b. Suspended -



- (1) Cases not assigned due to lack of solvability factors
  - (2) Cases deemed less significant through supervisor discretion due to factors such as age of report, investigator workload, resources, etc.
  - (3) Cases that have had all available leads exhausted without results.
- c. Unfounded - The incident does not meet the elements of a criminal offense.
  - d. Cleared by Arrest - Cases that terminate in the arrest of an individual and charges filed:
    - (1) CA – Adult taken into custody
    - (2) CJ – Juvenile taken into custody
  - e. Exceptionally Cleared –
    - (1) Cases where the involved party(s) have been identified, there is sufficient information to support an arrest and charges, and the location of the suspect(s) is known but there are reasons outside the control of the officer that prevents an arrest from being made. Examples include but are not limited to:
      - (a) The offender is dead.
      - (b) The offender is currently in prison and provides a confession to the crime.
      - (c) Another jurisdiction refuses to release an offender.
      - (d) Extradition is denied.
      - (e) Victim declines prosecution.
      - (f) Prosecution is declined by the prosecutor. (Except for lack of evidence.)
      - (g) Offense included with other prosecution where arrest was made.
      - (h) Case to be prosecuted with another case which has been listed as inactive.
      - (i) Referral to Juvenile Detention Center.
      - (j) Statute of limitations has expired.
      - (k) Referral to Municipal Court.
      - (l) Citation issued.
  - f. Inactive - Cases in which a warrant has been issued but the suspect's location is not known.
  - g. Closed -
    - (1) Missing Person found or cancelled report.
    - (2) Deceased person case completed with no signs of foul play.
    - (3) Agency Assist.
    - (4) Incident investigation complete.

#### **E. Investigation Reports**

- 1. The officer assigned to an investigation shall be responsible for the complete case report.
- 2. Any officer assigned to or assisting with an investigation shall be responsible for completing all necessary reports concerning their involvement in the investigation.

#### **F. Habitual Offenders**

1. A suspected offender who has been previously convicted of two felony offenses will be considered as a habitual offender as defined by the Texas Penal Code.
2. It shall be the responsibility of each investigating officer to determine if a suspect qualifies as a habitual offender. When a suspect qualifies as a habitual offender, it shall be noted in the case report.
3. It shall be the responsibility of the investigator filing the case to notify the District Attorney of the habitual offender status of the suspect.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 7, 2005	<b>NUMBER</b> 04-31.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Preliminary Investigation Follow-up Investigation	<b>CALEA</b> <a href="#">42.1.4</a> <a href="#">42.2.2</a> <a href="#">42.2.3</a> <a href="#">55.2.5</a>
<b>SUBJECT</b> Investigative Responsibilities		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to specify accountability and establish procedures for conducting preliminary and follow-up investigations.

**II. DEFINITIONS**

**Preliminary investigation** – Investigative activity that begins when officers arrive at the scene of an incident and continues until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

**Follow-up investigation** – An extension of the preliminary investigation, the purpose of which is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property.

**III. POLICY**

Ordinarily, the preliminary investigation into a reported offense is the responsibility of the Patrol Division. Occasionally, an offense may come to the attention of other line officers, such as C.I.D. investigators, who may, and in some cases should, assume the responsibility for conducting the preliminary investigation.

Follow-up investigations are normally the responsibility of the Criminal Investigation Division.

**IV. PROCEDURES**

**A. Preliminary Investigations**

1. Preliminary investigations shall be conducted in accordance with the procedures established in General Order 04-14 (Preliminary Investigations).

**B. Follow-up Investigations**

1. When a case has been assigned for follow-up investigation, the investigator will, as soon as reasonably possible after receiving the case, make contact with the complainant / victim to:
  - a. Provide the complainant / victim with the investigator’s name and office telephone number.



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 04-32.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Investigative Procedures	<b>CALEA</b> <a href="#">1.2.3</a> <a href="#">42.2.1</a> <a href="#">42.2.4</a> <a href="#">51.1.1</a>
<b>SUBJECT</b> Basic Investigative Procedures		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

## I. PURPOSE

The purpose of this directive is to outline basic procedures to use in the investigation of criminal offenses.

## II. POLICY

The procedures outlined in this directive apply to the criminal investigative process as performed by both uniformed officers and criminal investigators.

## III. PROCEDURES

### A. Information Development

1. The following sources may provide valuable information and should be utilized in conducting criminal investigations:
2. Departmental Sources:
  - a. Police Department computerized records
  - b. Arrest records
  - c. Traffic and accident reports
  - d. Field interview reports
  - e. Photos and fingerprints
  - f. Pawn shop records
  - g. The Internet
3. Public Agencies
  - a. TCIC/NCIC Criminal History Records Information (CHRI)
  - b. MVD records
  - c. Probation and parole records
  - d. Local and federal agency's records
  - e. Court records
  - f. Tax records



- b. The age, physical limitations, and credibility of witnesses should also be considered.
- c. The officer conducting the interview should take detailed notes or tape record the interview for future reference, noting the time, date, location, and presence of other officers or persons during the interview.

3. Interrogation of Suspects *(1.2.3b)*

- a. When interrogating suspects, officers shall ensure that all constitutional precautions are taken and documented.
- b. A tape recording may be made for future reference, including: date, time location, officers present, waiver of rights if required, time ended, etc.
- c. Statements, admissions, or confessions obtained during an interrogation shall not be the result of coercion, duress, promises, delay in arraignment, or deprivation of counsel. *(1.2.3c)*

C. Collection, Preservation, and Collection of Physical Evidence

- 1. Physical evidence is of major importance in all cases, even those that involve eye-witnesses to the crime. The successful prosecution of a case often hinges on the quality of the physical evidence collected and preserved.
- 2. All officers are responsible for the preservation of evidence, and for maintaining and documenting the chain of custody of all evidence taken into their custody.
- 3. Refer to General Order 08-05 (Collection and Preservation of Property and Evidence) for more specific procedures concerning evidence.

D. Surveillance

- 1. The secretive observation of a person, place, or vehicle is a basic police technique that can be used by all officers to gather evidence of illegal activity or to apprehend criminals during or immediately after a crime has occurred.
- 2. When a criminal pattern has been identified, surveillance should be considered in an effort to identify or apprehend the perpetrator.
- 3. When a large scale surveillance is required, the surveillance shall be planned and coordinated as a joint effort between all components involved

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 04-33.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Polygraph Exams	<b>CALEA</b> <a href="#">42.2.8</a>
<b>SUBJECT</b> Polygraph Exams		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure governing the use of polygraph for criminal investigation purposes.

**II. POLICY**

Polygraph examinations are to be used as an investigative aid in criminal investigations, and are not designed or intended to substitute for a thoroughly conducted investigation using other techniques. Polygraph exams will normally be conducted in cases involving serious offenses only.

**III. PROCEDURES**

- A.** Polygraph exams for criminal investigation purposes will be administered by certified polygraph examiners.
- B.** Sergeants of the Criminal Investigation Division will make arrangements for polygraph exams.
- C.** Investigators will coordinate with the sergeants of the Criminal Investigation Division when a polygraph exam is requested in regards to an investigation. The C.I.D. sergeant may reject an investigator's request if it is determined that the investigator has not adequately investigated the offense or the nature of the offense does not warrant use of the polygraph.
- D.** Polygraph exams may be administered to suspects, victims, and witnesses after a thorough preliminary and follow-up investigation reveal likelihood that the subject to be examined is not being truthful with the investigator.
- E.** Investigators should avoid disclosure of any details or facts established during the investigation, especially those facts which could only be known to the perpetrator.
- F.** Investigators will be prepared to explain the facts of the case to the polygraph examiner and should be able to suggest specific points to be addressed by the polygraph exams.



<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> October 1, 1989</p>	<p><b>NUMBER</b> 04-34.1</p>
<p align="center"><b>CATEGORY</b> Law Enforcement Operations</p>	<p><b>INDEXED AS</b> Line-ups Show-ups Photo line-ups Eyewitness Identification Identification Procedures</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Eyewitness Identification Procedures</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish procedures to promote reliability of eyewitness identifications by eliminating suggestive practices and to increase effectiveness in bringing investigations to a successful conclusion.

**II. DEFINITIONS**

**Line-up** – A formal identification procedure in which witnesses are permitted to view a group of persons who match the general description of a suspect in a criminal offense for the purpose of identifying a particular suspect.

**Show-up** – A confrontation between a witness and a suspect within a short period after the offense for the purpose of allowing the victim or witnesses to identify or clear the suspect of suspicion.

**Photo Line-up** – An identification procedure in which a witness examines a limited group of photographs for the purpose of identifying a particular suspect.

**Informal Identification** – An identification procedure in which a witness is escorted to a place where a suspect might be viewed among other persons of similar characteristics.

**III. POLICY**

It is the policy of this department to provide and promote eyewitness identification procedures which promote reliability of eyewitness identification by eliminating suggestive practices which may influence witness recall.

**IV. PROCEDURES**

**A. General Rules**

1. An eyewitness identification is not necessary when:
  - a. The witness did not see the offender sufficiently to make identification.





- h.** If defense counsel is ejected, the line up will be delayed until substitute counsel can be appointed.

**14.** Each witness to a line-up will be given the following instructions / information:

- a.** The witness's name and address will not be revealed to the suspect or defense council;
- b.** Witnesses may not verbally communicate with anyone while in the line-up room – all comments are to be written, including the number of any identified suspect, on the LINE-UP IDENTIFICATION FORM.
- c.** Witnesses may request that the participants in the line-up speak certain words, make certain gestures, or assume particular poses. All participants will be required to perform the same acts.
- d.** Witnesses are not required, but are permitted to speak with defense counsel after the line-up.

**15.** Line-ups will be conducted under circumstances which assure fairness to the suspect.

- a.** The line-up should consist of at least six participants, including the suspect.
- b.** All line-up participants will be of the same sex and race with similar physical characteristics, such as age, skin and hair color, height, weight, and hairstyle.
- c.** The suspect and defense counsel will be allowed to choose the suspect's position in the line-up.

**16.** After a witness has had time to view the line-up, the officer conducting the line-up should interview the witness in private to determine whether the witness can identify any of the persons in the line-up.

**17.** A record shall be made of all line-up proceedings to include:

- a.** A color photograph of each line-up arrangement.
- b.** A stenographic or audio/video recording of the proceeding.
- c.** The amount of time it took the witness to make identification.

**18.** Refer to the line-up and witness identification forms attached to this directive.

### **C.** Show-ups

- 1.** If a suspect is arrested within one hour after the commission of an offense and within an area reasonably proximate to the scene of the crime, the suspect shall be returned to the scene of the offense or the eyewitnesses may be transported to the location where the suspect is detained for identification purposes.
- 2.** The confrontation between witness and suspect must take place as soon as practical after the suspect is detained.
- 3.** If the witness cannot identify the suspect as the perpetrator, the suspect shall be released unless there is other sufficient evidence to establish probable cause to arrest him/her.

4. The suspect has no right to legal counsel at an on-scene show-up.
5. If there is more than one witness, each witness should view the suspect separately, out of the presence of the other witnesses.
6. Prior to a show-up, the witness should be advised that:
  - a. The purpose of the show-up is as much to exonerate the innocent as to identify the guilty.
  - b. Just because the suspect is being presented for identification does not mean the police have concluded he/she is guilty.
  - c. If there is any doubt about the suspect's identity, the witness should express those doubts.
7. When presenting a suspect to the witness, the officer shall remain as neutral as possible consistent with his maintenance of custody and control over the suspect. The officer shall not say or do anything that would suggest to the witness that the suspect is guilty.
8. The officer shall make a written record of the circumstances of the show-up, to include:
  - a. Description of the place where the suspect was viewed, including lighting conditions.
  - b. The distance from which the suspect was viewed.
  - c. The identity of each witness who viewed the suspect.
  - d. The identity of all persons present during the show-up.
  - e. Any remarks made by witnesses, the officer, the suspect, or anyone else present during the show-up.

#### **D. Photographic Identifications**

1. If a particular person is suspected of involvement in the crime, but the suspect has not been arrested and a pre-arrest line-up is not practical, a photo line-up may be shown to a witness for identification purposes.
2. The following rules shall be observed when showing photo line-ups:
  - a. The photo line-up will consist of a minimum of six (6) photos of different individuals.
  - b. The persons in the photos shall be of the same race, and of the same general age, height, weight, color of hair and skin, etc.
  - c. No photograph in the group will be emphasized in any manner.
3. The photo line-up will be shown to only one witness at a time. Witnesses should not be allowed to influence each other before or during the viewing of the photographs.
4. The photo line-up should be documented on a "Photographic Identification Form" and signed by the witness. The officer showing the photos will certify the line-up by completing the bottom section of the form.
5. The officer conducting the photo line-up shall prepare a detailed report of the proceedings to include:

- a. The identity of all persons present during the viewing;
- b. How, when, and where the photos were displayed;
- c. Any remarks made by the witness during the viewing;
- d. Any failure to identify or mistakes in identification;
- e. The amount of time it took the witness to identify the suspect;
- f. The “Photographic Identification Form.”

**E. Informal Identification**

1. An informal identification procedure may be used only when probable cause to arrest a suspect does not exist.
2. A witness may be taken to a single public location where the suspect is likely to appear, provided the location is a place where numerous persons with similar characteristics are likely to be.
3. If no single location meets the requirements of number 2 above, the witness may be taken to a minimum of five (5) public locations, at one of which the suspect is believed to be. Only locations where persons with similar characteristics to the suspect are likely to be present will be used for this purpose.
4. A detailed record of all informal identification procedures should be kept to include:
  - a. The date and time of any observation or identification.
  - b. The exact location of any observation or identification.
  - c. The approximate number of persons similar in appearance to the suspect that were viewed.
  - d. The suspect’s reaction if he became aware that he was being viewed.
  - e. The witness’ reaction upon seeing the suspect.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 04-35.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Hypnosis	<b>CALEA</b>
<b>SUBJECT</b> Investigative Hypnosis		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the use of hypnosis for criminal investigation purposes.

**II. DEFINITIONS**

**Investigative hypnosis** – An investigative technique in which a victim / witness is interviewed while under hypnosis, in an effort to assist the victim / witness in remembering information they cannot consciously recall.

**III. POLICY**

Criminology use of hypnosis has been found to be an effective investigative tool. While hypnosis is not a substitute for a properly conducted investigation, it is a useful investigative technique to aid witnesses in recalling information they cannot consciously remember. However, investigative hypnosis is only as good as the investigation that precedes it. Not all persons are responsive to hypnosis; therefore, its use must be limited to those situations in which the technique will be most effective. Hypnosis may be used by members of the Department subject to the procedures outlined in this directive.

**IV. RULE**

- A.** Hypnosis may be used only to enhance the memory of a victim or witness.
- B.** Hypnosis will not be used to question, interview, or interrogate defendants or suspects.
- C.** Juveniles will not be subjected to hypnosis without the consent of a parent or legal guardian.
- D.** Any hypnotist used by this Department must possess a valid investigative hypnotist proficiency certificate issued by the Texas Commission on Law Enforcement Officer Standards and Education (T.C.L.E.O.S.E.).

**V. PROCEDURE**

- A.** Investigators should understand the capabilities and limitations of the hypnosis technique.

1. Hypnosis is not a substitute for a properly conducted investigation.
  2. The person to be hypnotized must have seen or heard the information at one point in order for that information to be recalled under hypnosis.
  3. Hypnosis is not a truth producer; what the person perceives is what he/she will say under hypnosis.
  4. Individuals in a hypnotic trance have the ability to lie. Therefore, all information gathered during a hypnotic session must be independently corroborated.
- B.** Prior to discussing the use of hypnosis with any potential subject, the investigator will first discuss the use of hypnosis with his/her commanding officer who will coordinate the request with the hypnotist used by the Department. The hypnotist will advise whether or not hypnosis would be potentially beneficial.
- C.** If the hypnotist recommends hypnosis, the investigator will determine whether the victim / witness is agreeable to the procedure. The person to be hypnotized should be informed that:
- “Hypnosis is a relaxed state of mind. When a person is in a state of hypnosis, they are relaxed and feel no different than while resting. The mind is like a tape recorder with all things seen or heard recorded in the brain. However, when a fact cannot be recalled, that fact is usually stored in the subconscious. Hypnosis brings the subconscious forward so that the facts can be recalled.”
- The hypnotist will provide a more detailed explanation of hypnosis prior to the session. The investigator will not attempt to explain hypnosis further.
- D.** If the victim/witness is willing to undergo hypnosis, the investigator will then determine a mutually agreeable date, time, and location for the hypnotic session.
- E.** Either the hypnotist or the investigator will have the witness sign a release form, which will be maintained with the case file.
- F.** All hypnotic sessions will be audio and/or video recorded. The recording will be considered evidence and will be handled like any other item of evidence.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 07, 2005	<b>NUMBER</b> 04-36.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Task Force	<b>CALEA</b> <a href="#">42.2.7</a>
<b>SUBJECT</b> Investigative Task Force		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure for investigative task forces.

**II. DEFINITIONS**

**Task force** – A grouping of personnel under joint command for the purpose of accomplishing a defined objective. A Task Force may be multi-jurisdictional, meaning it includes personnel from different law enforcement services, such as city, county, state, or federal law enforcement agencies.

**III. POLICY**

The Bryan Police Department participates, as needed, in multi-agency investigative task forces having concurrent or adjoining jurisdictions, such as the Brazos Valley Narcotics Task Force (BVNTF) and the Joint Terrorism Task Force (JTTF). Participation in multi-jurisdictional task forces is governed by current Memorandum of Agreement (MOA) or Inter-Local Agreement (ILA) existing for such task force.

Other Departmental investigative task forces may be organized to target a particular criminal suspect, groups of suspects (gangs), or series of criminal activities, with prior approval of a Bureau Commander.

**IV. PROCEDURES**

**A. Multi-jurisdictional task forces:**

1. Mutual-aid agreements in the form of a Memorandum of Understanding or Inter-Local Agreement are required for Departmental participation in multi-jurisdictional task forces.
2. Mutual-aid agreements for a respective multi-jurisdictional task force shall identify its purpose/mission/objectives; define each participating agency's role, authority, responsibilities, accountability, command protocol, and/or jurisdictions; identify resources available to the task force; and define how task force results will be evaluated to determine its continued necessity.
3. Mutual-aid agreements must be approved by the Chief of Police.

4. Mutual-aid agreements shall be reviewed, with recommendations given, by City of Bryan Legal Staff prior to signatory action. As appropriate, CEO and/or City Council action should be requested
5. Mutual-aid agreements should be reviewed annually by the Chief's designee.
6. Departmental personnel assigned to a multi-jurisdictional task force are not relieved of their duty to comply with policy and procedures of this Department and the City of Bryan.

**B. Departmental Investigative Task Forces:**

1. A Departmental investigative task force may be established upon approval of a Bureau Commander when a special crime problem is identified.
2. The Bureau Commander authorizing the task force shall identify who is in command of the investigative task force and clearly define the commanding officer's authority and responsibilities.
3. Types of crimes which may be addressed by means of a task force include, but are not limited to:
  - a. Armed robbery
  - b. Sex offenses
  - c. Burglary
  - d. Vehicle burglary
  - e. Auto theft
  - f. Vice offenses
  - g. Narcotics offenses
4. Departmental task forces may be comprised of personnel from various components of the Department based on the problem addressed and the skills needed.
5. Prior to initiating a task force operation, all personnel involved will be briefed as to the objectives and expectations of the task force. The briefing will include:
  - a. Purpose and objectives
  - b. Identity of known targets, suspects, etc.
  - c. Personnel assignments
  - d. Plan of action
  - e. Contingency plans
  - f. Equipment and vehicle assignments
  - g. Radio call signs
  - h. Identification of available resources
6. The task force commander shall provide status reports on a routine basis to the Bureau Commander having authorized the task force. The Bureau Commander shall keep the Chief of Police apprised of the task force status.

7. The Bureau Commander having authorized the task force shall routinely evaluate the task force results as reported by the task force commander in order to determine the continued necessity of the task force.
8. Upon completion of the task force operation, all personnel should be assembled for a debriefing to evaluate task force operations.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 1, 1995	<b>NUMBER</b> 04-37.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Juvenile Citations Juvenile Arrests Juvenile Referrals Juvenile Warning Notices Truants	<b>CALEA</b> <a href="#">44.1.1</a> <a href="#">44.2.1</a> <a href="#">44.2.2</a> <a href="#">44.2.3</a> <a href="#">44.2.4</a> <a href="#">82.1.1b</a>
<b>SUBJECT</b> Juvenile Procedures		
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>		

**I. PURPOSE**

The purpose of this directive is to establish policies and procedures for handling juveniles in enforcement and custody situations.

**II. DEFINITIONS**

**Juvenile** – Criminal Law: A person 10 years of age or older, but less than 17 years of age.  
Traffic Law: A person less than 17 years of age.

**Arrest** – The taking of a juvenile into custody is not an arrest, except for the purpose of determining the validity of taking him/her into custody or the validity of a search.

**Truancy** – As defined by the Texas Family Code, truancy is “the voluntary absence of a child in 10 or more days or parts of days within a six-month period or three or more days or parts of days within a four-week period from school.”

**III. POLICY**

Recognizing that law enforcement contact with juveniles can be a determining factor in preventing and controlling juvenile delinquency and future criminal activity, it is the policy of the department that all officers shall, whenever feasible and justified under this policy, take those measures necessary to effect positive changes in juveniles that are consistent with state law and the safety and security interests of the community. Officers shall ensure that the Constitutional rights of juveniles are protected. [\(44.1.1a, b\)](#)[\(44.2.2c\)](#)

**IV. PROCEDURES**

**A. Enforcement Alternatives**

1. Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this directive in deciding appropriate actions.
2. Alternatives that may be considered include:
  - a. Release without further action [\(44.2.1a\)](#)

- b.** Informal counseling to inform the juvenile of the consequences of his/her actions
  - c.** Informal referrals to community services
  - d.** Informal counseling to parents, guardian, or responsible adult
  - e.** Release with a warning notice
  - f.** Release with referral of charges to juvenile probation *(44.2.1c)*
  - g.** Arrest or custody
- 3.** All contacts with juveniles in an enforcement capacity will be documented on the appropriate departmental form.

**B. Enforcement Criteria**

- 1.** The following guidelines shall be used in determining appropriate enforcement actions when dealing with juvenile incidents:
- a.** Release without further action, informal counseling, and referral to community services may be appropriate in incidents where intervention is necessary to avoid delinquent actions (non-criminal acts). *(44.2.2a)*
- 2.** Release with warning notice
- a.** The Texas Family Code authorizes an officer to issue a warning notice to a juvenile in lieu of taking him/her into custody. A warning notice may be issued under the following conditions:
    - (1)** The juvenile is contacted for a first time status or Class C offense.
    - (2)** The victim does not wish to prosecute.
    - (3)** The juvenile can be released to a parent, guardian, or other responsible adult.
  - b.** A warning notice will be issued anytime a referral or custody is not used.
  - c.** An officer issuing a warning notice shall complete the department warning notice / referral form including a statement of circumstances surrounding the contact. A check will be placed in the appropriate box on the form to indicate that a warning notice is being issued. A standard report form will not be required when a warning notice is issued. However, witness or property information will be placed on a supplemental report. The warning notice is a carbonless form consisting of four color coded copies. The green copy of the warning notice will be given to the juvenile, the pink copy to a parent or guardian, the white copy to juvenile authority, and the yellow copy is retained for departmental records.
- 3.** Class C misdemeanor charges (non-traffic):
- a.** A field release citation should be issued under guidelines established in General Order 04-06 (Misdemeanor Arrest by Citation) for all non-traffic class C misdemeanor offenses except public intoxication. *(44.2.1b)*
    - (1)** The officer will explain to the juvenile that a parent or guardian must accompany the juvenile to the Municipal Court within the prescribed time period in response to the citation, and that a parent or guardian will be notified of the issuance of the citations.

- (2) The officer may release the juvenile at the scene if the officer believes it is safe to do so, or make other arrangements to secure the safety of the juvenile.
- (3) The officer will make a reasonable effort to contact the juvenile's parent, guardian, or other adult family member for the purpose of advising them of the violation and the obligations associated with the citation. This contact may be made by phone or in person. If no contact can be made prior to the officer's end of shift, the officer will complete a Juvenile Citation Notification form and forward it to the administrative secretary to be mailed to the juvenile's parent or guardian for this purpose. (44.2.2e)

b. Public Intoxication – juveniles taken into custody for public intoxication will be transported to the juvenile detention center for processing.

#### 4. Traffic offenses

- a. Juvenile offenders will be issued traffic citations following guidelines issued under General Order 06-01 (Traffic Enforcement).
- b. Juvenile offenders under age 10 will not be issued a traffic citation.
- c. The officer shall contact a parent, guardian, or responsible adult to take responsibility for the vehicle and juvenile only if the juvenile is not licensed to drive.

#### 5. Class A and B misdemeanors

- a. A juvenile taken into custody for a Class A or B misdemeanor offense may be referred to Juvenile Probation in lieu of transport to the juvenile detention center under the following guidelines.
  - (1) The juvenile involved is fully aware of the seriousness or potential seriousness of his/her actions, and/or is acting in alliance or collusion with others to commit such acts.
  - (2) A parent or legal guardian is notified and available to take custody of the juvenile. (44.2.2e)
  - (3) The juvenile and parent sign the department referral form agreeing to bring the juvenile before the juvenile court if required.
- b. If all requirements are not met, the juvenile will be transported to the juvenile detention center for processing.
- c. If a referral is made, the officer will complete the referral form including a statement of the alleged conduct, and the circumstances of taking the juvenile into custody. A standard report form will not be required when a referral report is completed. However, witness or property information shall be placed on a supplemental report.

#### 6. Felony offenses

- a. A juvenile taken into custody for any felony offenses shall be transported to the juvenile detention center for processing.

### **C. Transporting Juveniles in Custody**

- 1.** An officer taking a juvenile into custody for a Class C misdemeanor (other than Public Intoxication), or traffic charges may transport the juvenile to the police department. For all other charges, juveniles will be transported as follows:
  - a.** An officer taking a juvenile into custody, without unnecessary delay and without first taking the juvenile to any other place, shall do one of the following: *(44.2.2d)*
    - (1)** Release the juvenile to a parent, guardian, custodian of the juvenile, or other responsible adult.
    - (2)** Take the juvenile to the juvenile detention center.
    - (3)** Take the juvenile to a medical facility if the juvenile is believed to suffer from a serious physical condition or illness that requires prompt treatment.
- 2.** If witness / victim identification of a juvenile offender is needed, the witness / victim will be transported to the location of the suspect, a juvenile offender will not be transported to the witness / victim location.
- 3.** Juveniles will not be transported in the same vehicle with an adult prisoner. Juveniles will be handcuffed under the same guidelines as adult prisoners in accordance General Order 07-01 (Prisoner Transportation Procedures). When an officer transports a juvenile, regardless of sex, the officer shall notify communications of the vehicle mileage and locations at the beginning and end of transport. An officer may transport more than one juvenile at a time, if doing so would not endanger the officer or juveniles.

### **D. Custodial Interrogation**

- 1.** Before conducting a custodial interrogation of a juvenile, officers shall ensure that the juvenile is taken before a magistrate to receive state mandated rights warnings and explanation of the juvenile justice system. *(44.2.3c)*
- 2.** Officers conducting a juvenile interview should take into consideration the age and psychological state of the juvenile when determining the time limit of an interrogation. Juvenile interrogations which are anticipated to last longer than two hours in length must be approved by a supervisor. *(44.2.3b)*
- 3.** In order to prevent the appearance of intimidation, no more than two officers or detectives should be present during a juvenile interrogation. Interrogations requiring the presence of additional officers will only be allowed with supervisory approval. *(44.2.3b)*
- 4.** A juvenile's parent or legal guardian shall be contacted during the investigation when practicable to do so. In investigations involving juveniles under the age of fourteen or juveniles who have been traumatized, a parent or legal guardian should be contacted before the interview takes place. *(44.2.3a)*

### **E. Fingerprints and Photographs *(82.1.1b)***

- 1.** A child may not be fingerprinted or photographed related to a criminal matter without the consent of the juvenile court except:

- a. A child taken into custody for conduct that constitutes a felony or a misdemeanor punishable by confinement in jail, Class A or B.
  - b. A child who is not in custody if the child's parent or guardian voluntarily consents in writing to the photographing and fingerprinting of the child.
  - c. Under guidelines established in Chapter 61, Compilation of Information Pertaining to Criminal Combinations and Criminal Street Gangs, of the Code of Criminal Procedure.
  - d. The single print of a juvenile taken into custody will not be taken on any copies of the arrest report.
  - e. For inclusion in the Missing Children Clearinghouse under Human Resource Code.
  - f. The child is under temporary custody for fingerprinting provided the following:
    - (1) There is probable cause to believe the child has engaged in delinquent conduct.
    - (2) The conduct has been investigated and other fingerprints were found.
    - (3) There is probable cause to believe the child's fingerprints will match the other fingerprints.
  - g. The child in under temporary custody for photographing provided the following:
    - (1) There is probable cause to believe the child has engaged in delinquent conduct; and
    - (2) There is probable cause to believe the child's photograph will be of material assistance in the investigation of that conduct.
  - h. To identify a runaway child in custody when reasonable efforts to identify the child have been unsuccessful.
2. An officer who takes fingerprints or photographs from a child under section f. and g. shall:
    - a. Immediately destroy them if they do not lead to a positive comparison or identification.
    - b. Make a reasonable effort to notify the child's parent, guardian, or custodian of the action taken.
  3. Fingerprints or photographs taken from a child under section f. and g. may be obtained from a child at:
    - a. A juvenile processing office.
    - b. A location that affords reasonable privacy to the child.

**F. Protective Custody (44.2.2b)**

1. A child may be taken into protective custody only under the following provisions:
  - a. There is a situation of danger to the child's physical health or safety, and the sole purpose is to deliver the child to the parent, guardian, or custodian entitled to be in custody.





- c. The student will be signed out of school on the sign out sheet in the main office of the school.

**I. Truants**

1. When an officer comes into contact with a child, who appears to be of school age, during normal school hours, and the officer has reasonable cause to believe the child to be absent from school without parental control, the officer should transport the child to the child's school and turn the child over to the principal, counselor, or other appropriate school official.
2. If the officer determines that the child is of school age, but is not enrolled in a school, the officer should advise the central office of the appropriate school district of the child's non-enrollment status.
3. Officers should not transport a suspected truant to the juvenile detention center unless the officer has official notice from the school district that the child's conduct constitutes truancy as defined above.

**J. Records**

1. The collection, dissemination, and retention of records pertaining to juveniles shall comply with the Texas Family Code, Chapter 58. The records division supervisor shall be responsible for ensuring compliance with the retention and dissemination of juvenile records.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 1, 1995	<b>NUMBER</b> 04-38.1	
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Emergency Response Unit	<b>CALEA</b>	46.1.4k
<b>SUBJECT</b> Unusual Occurrences & Special Threat Situations		46.1.4a	46.1.4o
		46.1.4b	46.1.9
		46.1.4d	
<b>AUTHORIZING SIGNATURE</b> Original with signature on file	46.1.4e		
	46.1.4f		
	46.1.4g		
	46.1.4h		
	46.1.4i		
		46.1.4j	

**I. PURPOSE**

The purpose of this directive is to establish Departmental policies and guidelines concerning the Department’s response to unusual occurrences and special threat situations.

**II. DEFINITIONS**

**Active Shooter** - Any incident where a person or persons are at a location, have access to multiple victims, and are causing or indicating that they will soon begin to cause serious bodily injury or death to others.

**Barricaded Suspect** - Any person who has demonstrated capability and/or stated intention of causing the death of, or great bodily harm to, any person and has achieved tactical superiority by the use of a physical obstruction (including, but not limited to building, open fields, vehicles, or any other natural or man-made barrier).

**Hostage Situation** - Any incident where the possibility exists that a barricaded suspect may be holding a hostage or available information indicates that the suspect is holding a hostage.

**Inner perimeter** – The area of containment closest to the suspect.

**Outer perimeter** – The area of containment that prevents outsiders from interfering with the situation.

**Sniper** - Any person who causes or attempts to cause the death of, or bodily injury to, other persons by discharging a firearm from an initially concealed position.

**Special threat situation** – Any situation involving a sniper, barricaded suspect with or without one or more hostages, or any terrorist situation.

**III. POLICY**

The Bryan Police Department is committed to seeking non-violent settlement in all incidents. The ERU will be employed in all situations that are beyond the scope and capabilities of normal police services. The objectives of the Department are to: Affect the safe release of hostages;

Protect the lives and well-being of all affected parties; Affect the apprehension of hostage-takers, wanted persons, felony suspects; Minimize damage to personnel and property. *(46.1.4a)*

#### **IV. PROCEDURES**

**A.** The first officer arriving on scene of a special threat situation should:

1. As soon as possible, after recognizing that a special threat situation exists, notify the on-duty supervisor. *(46.1.4d)*
2. Attempt to contain the suspect to the smallest area possible. *(46.1.4a)*
3. Secure the immediate area, arrange for the evacuation of bystanders/injured persons, and direct arriving personnel to appropriate locations. *(46.1.4g, h)*
4. Gather as much intelligence information as is possible without exposing him/her self to excessive or unreasonable danger.
5. Make the original offense report, file charges when necessary, and handle prisoner arrangements. The patrol supervisor may reassign these duties as necessary.
6. Report to the command post for debriefing after being relieved at the scene.

**B.** The first patrol supervisor at the scene shall:

1. Assume command of the scene, establish a temporary command post for mobilizing patrol personnel, and direct all responding officers to report to him/her for assignments and debriefing. *(46.1.4i)*
2. Establish inner and outer perimeters. *(46.1.4f)*
3. Direct the dispatcher to clear the radio frequency of all traffic not related to the special threat situation and to maintain a situation log.
4. Assemble all pertinent information about the special threat situation such as correct location, number of suspects, number of hostages, etc. as soon as the information becomes available.
5. Ensure the Operations Bureau Commander or on-call Bureau Commander and the Patrol Lieutenant are notified. *(46.1.4d)*
6. Make and keep updated a diagram showing outer and inner perimeter locations with corresponding units' radio call numbers.
7. Establish a press information area, if needed, and cause the Public Information Officer to be summoned to the scene.
8. Cause on-duty or on-call detectives to be summoned as needed to conduct operational investigations.

9. Maintain overall command until relieved by either the Patrol Lieutenant, the ERU Lieutenant, or someone else designated by the Operations Bureau Commander.
  10. Maintain command of the perimeter units until relieved by the Patrol Lieutenant.
- C. The detectives summoned to the scene shall:
1. Report to the command post for assignment.
  2. Interview witnesses and by-standers.
  3. Secure all background information possible on suspects and hostages.
  4. Secure other information as required by the command post.
  5. Conduct crime scene search, if applicable.
  6. Interview actor(s), once arrest is made.
  7. Conduct any subsequent investigations.
- D. The Public Information Officer (P.I.O.) shall: *(46.1.4k)*
1. Report to the command post for briefing.
  2. Ensure all members of the press assemble in the press information area and do not interfere with or disrupt the operation.
  3. Handle all inquiries by the media, coordinating with the command post as necessary.
- E. Officers from other agencies who respond to the scene are to be directed to a staging area other than the command post until an assignment is made.
- F. The ERU Lieutenant shall:
1. Assume overall command of on-scene operations.
  2. Ensure the establishment of a command post for the operation.
  3. Gather all intelligence from debriefings of operational personnel.
  4. Determine the need for the Criminal Investigation Division to conduct investigations as described earlier in this directive.
  5. Obtain any maps, floor plans, or other information pertinent to the scene.
  6. Ensure the availability of persons with needed technical skills or pertinent knowledge regarding the operation.
  7. Request other Departmental resources needed to enhance the operation.

8. Report to the Bureau Commander on the progress of the situation and consultation regarding critical decisions.
  9. The decision to assault and the type of assault including all tactical concerns rests solely with the ERU Commander in charge.
- G.** The Bureau Commander shall:
1. Notify the Chief of Police. *(46.1.4d)*
  2. Ensure the availability of the Department's resources for the successful conclusion of the situation.
  3. Alter the operation, if deemed necessary.
  4. Provide input concerning unusual negotiation demands and operational strategies.
  5. Summon additional personnel to serve as advisors to the ERU Lieutenant.
  6. Coordinate for ambulance, rescue, fire, and surveillance equipment as necessary. *(46.1.4j)*
  7. Coordinate and communicate with other agencies as necessary. *(46.1.4e)*
  8. Coordinate and establish a time, date, and location for the after action review. *(46.1.4o)*

**V. EMERGENCY RESPONSE UNIT ACTIVATION *(46.1.4b)***

- A.** The following personnel are authorized to initiate activation of the ERU:
1. Chief of Police
  2. Operations Bureau Commander
  3. Operations Support Bureau Commander
  4. Investigations Bureau Commander
  5. Special Operations Division Commander
- B.** Situations shall be evaluated on their individual circumstances when determining if activation of ERU is appropriate.
1. Situations which may warrant activation of the TRT include, but are not limited to:
    - a. Barricaded suspects
    - b. Hostage situations
    - c. Sniper situations
    - d. High-risk warrant service
    - e. Riots
    - f. Requests for assistance



- C. The coordinator shall be responsible for coordination with other local, state, and federal agencies as required by the event.
- D. If the visiting dignitary has an accompanying security detail, the coordinator shall act as the liaison for the department with the person in charge of that detail.
- E. The coordinator will be responsible for the implementation of security measures provided by this department involving a visiting dignitary. Factors to be considered include:
  - 1. Equipment requirements such as vehicles, body armor for the dignitary, and personnel requirements. *(46.1.9b)*
  - 2. Coordination and cooperation with other agencies if the dignitary travels across jurisdictional lines.
  - 3. Coordination with federal, state, or private agencies which may be assigned to the dignitary. *(46.1.9e)*
  - 4. Coordination with other city departments, if applicable.
  - 5. Arrangements to have an EMS unit or medical unit on standby at each site the dignitary visits. *(46.1.9f)*
- F. The coordinator shall establish all travel routes for the dignitary.
  - 1. The coordinator shall work closely with the TRT team leader and the dignitary and his/her staff on these routes, keeping in mind the needs of the dignitary, public relations requirements and safety. These routes should be pre-traveled to identify any hazards or problems that may arise. *(46.1.9c)*
  - 2. Planning shall be made for the most direct route to a hospital should an emergency arise.
- G. Other duties of the coordinator may include:
  - 1. When necessary, the coordinator may make advanced inspections of any sites or facilities to be visited or used by the dignitary. Ingress, egress, and other problems of a security nature should be noted. *(46.1.9d)*
  - 2. Coordination with the staff of hospitals to plan for any type of medical emergency that may arise. When possible, medical information on the dignitary should be provided to hospitals before hand. *(46.1.9f)*
  - 3. Coordinate the arrangements of communication between the dignitary's party and the department event personnel. *(46.1.9e) (46.1.9g)*
- H. Each plain clothes officer assigned to the security detail and the members of the dignitary's detail should be directed to wear some type of identification (lapel pins, ID badge, etc.) to identify them as members of the detail. *(46.1.9h)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 15, 2004	<b>NUMBER</b> 04-39.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Animal Control Animal Control Unit Dangerous Animal Domestic Animal Feral Animal Nuisance Animal Stray Animal	<b>CALEA</b>
<b>SUBJECT</b> Animal Control Unit		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policy and procedure governing the enforcement of state law, city ordinances, and public service tasks related to the care, control, and licensing of animals within the City of Bryan.

**II. DEFINITIONS**

**Dangerous Animal** Any animal that makes an unprovoked attack on a person or other animal that causes bodily injury. Any animal that makes unprovoked acts, in a vicious or terrorizing manner, or approaches any person or other animal in an apparent attitude of attack, whether or not the attack is consummated or capable of being consummated and those acts cause a person to believe that the animal will attack and cause bodily injury to that person.

**Nuisance Animal** Any animal that is offensive to the senses or that is or threatens to become detrimental to the public health. Any animal that causes a disturbance by excessive barking or other noisemaking; or chases vehicles, or molests, or interferes with persons or other domestic animals on public property.

**Domestic Animal** Any tame animal which has been bred, cultivated, or accustomed to human control.

**Feral Animal** Any undomesticated or uncultivated animal existing in or having reverted to a wild state.

**Stray Animal** Any animal that is off the owner’s premises and not under the direct control of the owner and which cannot be identified to an owner or is not wearing a collar and tags.

**III. POLICY**

It is the policy of the Bryan Police Department to protect the citizens from nuisance and dangerous animals by maintaining an Animal Control Unit which shall be responsible for the enforcement of city ordinances, state law, and federal law governing animals.

**IV. RULE / REGULATION**

**A.** Animal Control Officers (ACO) assigned to the Animal Control Unit shall patrol the streets and right-of-ways within the City of Bryan for the purpose of providing animal control services. Animal Control Officers shall conduct themselves in a courteous,

professional manner, and treat animals humanely at all times. They are responsible for a variety of code enforcement and public service tasks related to the care, control, and licensing of animals within the City of Bryan.

- B.** Animal Control Officers shall be responsible for responding to emergency situations concerning animals within the City of Bryan.
- C.** Animal Control Officers shall, when possible, apprehend in a safe, humane manner any animal that is a nuisance, stray, or is a threat or danger to any person.

## **V. PROCEDURE**

### **A. Animal Control Officer Duties and Responsibilities:**

- 1.** Responding to calls for service and complaints:
  - a.** At the start of each shift, Animal Control Officers shall promptly contact the E-911 Communications Center to check if any calls have been holding since their last shift ended.
- 2.** Response to calls for service and complaints shall be in the order of priority as established by existing operational protocol, which shall be furnished to employees and E-911 Communications Center personnel.
  - a.** If an ACO determines that a justified situation exists on a low priority call, he/she may respond to it prior to acting on the calls that originally came in with a higher priority, with supervisory approval.
- 3.** While on duty, Animal Control Officers shall:
  - a.** Maintain professionalism, courtesy, and efficiency to ensure the rights of both animal owners and non-owners are served.
  - b.** Be alert for dogs and cats at-large on streets and right-of-ways of the City and shall capture and impound dogs and cats as strays.
  - c.** Check all dogs and cats that come under their control for current licenses and vaccination tags and take appropriate action for those without tags.
  - d.** Ensure that any biting animal is quarantined according to the regulation concerning that specific animal.
  - e.** Immediately notify the E-911 Communications Center of animals that are seriously injured or sick and need to be destroyed.
  - f.** Ensure that any animal which dies during the quarantine period is transported immediately by the pet owner to a licensed veterinarian at the owner's expense, or by an Animal Control Officer to the Brazos Animal Shelter so the head of the animal can be sent to the lab for testing.
- 4.** Issuing citations or warnings for code violations regarding animal control.
  - a.** Bryan Municipal Court shall be the court of jurisdiction.
- 5.** Preparing reports on violations of animal regulations and sanitation regulations as they apply to animals.
  - a.** All reports shall be neat, concise, and thorough, and include full documentation of all pertinent facts that may be required later in court.

- (1) Daily reports of ACO activities shall be prepared by the Animal Control Officers and forwarded to their supervisor for approval.
  - (2) A monthly report of animal control activities shall be compiled by the ACO supervisor and forwarded through the chain of command.
- b.** The Special Operations Division lieutenant shall be notified of any reports of a serious violation.
- 6.** Conducting investigations on animal bites.
- a.** Reporting of bite incidents and quarantines.
- (1) Animal Control Officers are required to write a complete report on any animal bite incident. In the absence of an Animal Control Officer, a Police Officer may take the bite report and forward a copy to the Animal Control Unit for follow-up.
  - (2) Animal bite reports shall contain:
    - (a) The name and address of the victim and the name of a responsible adult if the victim is a juvenile.
    - (b) The part of the body that was bitten.
    - (c) The name and address of the animal owner.
    - (d) The location of the animal.
    - (e) The vaccination and license information.
    - (f) Medical treatment information.
    - (g) Photographs of injuries.
  - (3) If the biting animal is dead and being turned over to the Brazos Animal Shelter for lab analysis, lab submission paperwork must be completed. This paperwork is available at the Brazos Animal Shelter and must be completed when the animal is released to the shelter.
- b.** The rabies quarantine period shall start on the day of the bite incident.
- (1) Dogs, cats, and ferrets (domestic) regardless of vaccination status must be quarantined for a period of not less than ten (10) days.
  - (2) High risk animals such as skunks, bats, foxes, coyotes and raccoons must be humanely killed and their heads submitted for rabies testing.
  - (3) Low risk animals such as opossums, shrews, moles, squirrels, gophers, mice, rabbits, rats, and armadillos do not need to be tested unless the Local Rabies Control Authority has reason to believe the biting animal has rabies.
  - (4) All other animals categorized other than 1-3 above, must be humanely destroyed and tested or quarantined for a period of not less than thirty (30) days.
  - (5) Live wild animals are not placed in quarantine due to the fact the incubation period for rabies in wild animals is longer than in humans.
  - (6) Brazos Animal Shelter quarantine.
    - (a) The Brazos Animal Shelter shall be the designated quarantine facility used by the City of Bryan for impounding animals.
    - (b) Animal Control Officers releasing quarantine animals into the care and custody to the animal shelter shall complete such documentation as required by the shelter.

**(7) Home quarantine.**

**(a)** Owners may confine their animal at home with consent of and in a manner prescribed by Local Rabies Control Authority, provided they can produce valid proof of the following within 24 hours:

1. Dogs - license and rabies vaccination.
2. Cats – license and rabies vaccination.
3. All other bite animals (ferrets, rabbits, rats, mice, etc.) may be confined at home in a suitable enclosure, provided they were not originally captured in the wild.

**(b)** Owners who agree to home quarantine of their animals must agree to abide by the following:

1. In accordance with the Texas Health and Safety Code, Subchapter E – Reports and Quarantine, Section 826.042 – Quarantine of Animals, animals which have bitten an individual must be quarantined for the specified period of time.
2. Ensure a license tag is worn during the quarantine period (if a dog or cat).
3. Confine the animal in a pen, cage, or yard surrounded by a fence or a wall adequate to prevent escape. Owners shall agree not to remove their animals from the premises during the quarantine period for the purpose of exercise.
4. Have the animal examined by a licensed veterinarian if it becomes sick during the quarantine period, and have the veterinarian furnish the Animal Control Unit a copy of a report on the animal's condition.
5. Not attempt to administer, or have administered, a rabies vaccination to the animal during the period of quarantine.
6. Ensure their animal remains on quarantine until released by the Local Rabies Control Authority.

**(c)** Owners who violate the home quarantine agreement will receive a citation and be required to turn their animal over to the Brazos Animal Shelter for the remainder of the quarantine period or place their animal under veterinarian quarantine, at their own expense.

**(8) Veterinarian Quarantine**

**(a)** Owners who cannot produce valid proof of rabies vaccination may confine their animals at an approved veterinarian at their own expense.

**c.** The Animal Control Officers shall follow-up on cases that involve the quarantine of any animal after the quarantine time for that animal is up and determine if the owner followed all requirements of the quarantine.

- (1)** With the owner, or responsible party's permission, the Animal Control Officers shall enter the residence or area where the animal is being contained to check its status and ensure compliance with requirements.
- (2)** After the check is completed, the ACO shall prepare a supplemental report and inform the bite victim of the results of the quarantine as soon as possible after the quarantine period is completed.

- d.** The animal shall be released to the owner after quarantine only:
  - (1)** If the owner has an unexpired rabies vaccination certificate for the animal, or;
  - (2)** The animal is vaccinated against rabies by a licensed veterinarian at the owner's expense, or;
  - (3)** The owner pre-pays for a rabies vaccination coupon to be used within ten days at a veterinarian of choice.
  
- 7.** Impounding all stray and unclaimed animals at the Brazos Animal Shelter that they have taken possession of during the course of their daily patrol.
  - a.** Stray animals
    - (1)** All stray animals shall be taken to the Brazos Animal Shelter for impoundment.
    - (2)** The Animal Control Officers shall not give any stray animal in their possession to any person prior to impoundment.
      - (a)** Individuals wishing to take possession of any impounded animal shall do so by contacting the Brazos Animal Shelter and following their established adoption procedures.
      - (b)** If the owner of the animal can be determined, the animal may be returned to the rightful owner at the discretion of the Animal Control Officer prior to impoundment with the Brazos Animal Shelter as noted in Section 9.d.(2) and 9.e.(3) in this policy.
  
- 8.** Ensuring the animal control vehicle and equipment is maintained in a manner that allows safe and efficient operation and use.
  - a.** At the start and end of each shift, ACOs shall conduct a check of their vehicle to ensure it is fueled and roadworthy, and all animal control equipment is operational and safe. An adequate amount of necessary supplies and forms for use during the shift should be available.
  - b.** Any malfunctions of an animal control vehicle, or any repairs or maintenance needed, shall be communicated by the ACO to their immediate supervisor.
    - (1)** If the vehicle condition will cause the ACO to be unavailable to respond to calls for service, they shall notify the E-911 Communications Center.
  
- 9.** Following and enforcing all state and federal laws, local ordinances, and Departmental rules and regulations regarding animal control activities.
  - a.** Small Animal Traps.
    - (1)** Animal Control Officers are authorized to offer the use of small animal traps to citizens who wish to trap a small animal only for the purpose of pick up by an Animal Control Officer.
    - (2)** Citizens requesting use of a small animal trap are required to complete and sign a Small Animal Trap Release Agreement and abide by the conditions listed on the form.

**b. Cruelty to animals.**

- (1)** Animal Control Officers shall respond to all cruelty to animal calls to determine the severity of the call. ACOs are responsible for conducting preliminary investigations in all cruelty cases. Reports shall be completed and the case may be referred to the Criminal Investigation Division for follow up investigation.
- (2)** If an ACO responds to an in-progress animal cruelty incident and a suspect is charged with cruelty, the E-911 Communications Center shall immediately be notified to have a patrol officer respond to the scene and assist in the investigation. The E-911 Communications Center shall relay the information to the on-duty patrol supervisor.

**c. Cases involving missing, shot, or poisoned animals.**

- (1)** Animal Control Officers shall immediately notify the on-duty patrol supervisor when there are reasonable facts to indicate an animal has been shot, is the object of a theft, or is believed to have been poisoned, and there is suspect information.
- (2)** If there is suspect information, the on-duty patrol supervisor shall have a police officer assist in conducting the preliminary investigation.
- (3)** If there is no suspect information, Animal Control Officers may handle the case. They shall prepare the applicable report of the incident. However, if the case involves numerous animals, or is a high profile case, they shall notify the on-duty patrol supervisor.

**d. Animals confined in motor vehicles.**

- (1)** When a call is received regarding an animal left unattended in a motor vehicle and under such conditions that the health of the animal may be in danger, an Animal Control Officer shall be dispatched. If an Animal Control Officer is not available, a patrol officer will be dispatched.
  - (a)** Reasonable and necessary steps to contact the owner or enter the vehicle and remove the animal may be taken if deemed immediately necessary by the officer.
- (2)** When an animal is removed from a vehicle, an incident report shall be completed.
  - (a)** If the animal is in need of veterinary care and has Brazos County tags it shall be transported to the veterinarian issuing the tags whenever possible. If the animal is in need of veterinary care and does not have Brazos County tags it shall be transported to the Brazos Animal Shelter.
  - (b)** If the animal does not appear to be in need of veterinary care, the animal may be impounded with Brazos Animal Shelter.
  - (c)** A notice shall be left on the vehicle advising of the City Code violation and that the animal has been taken into protective custody and the location where animal may be claimed.
  - (d)** If the vehicle or animal owner is located, the employee will, if applicable, issue a citation for the violation. The animal may be released to the owner at that time.

- e. Animals at large.
  - (1) Large animals running loose may be corralled and tied. If the owner is not available to take possession of the animal, ACOs shall transport and impound the animal with the Brazos Animal Shelter.
  - (2) Small, non-aggressive animals running loose shall be captured by hand or with the use of the snare.
    - (a) Small aggressive animals running loose that pose a threat to the public may be captured with the snare.
    - (b) If the owner is not located, the animal shall be taken to Brazos Animal Shelter and impounded per animal shelter policies.
  - (3) In any of the above situations, the animal may be returned to its rightful owner at the time it is captured. Animal Control Officers have the discretion of issuing a warning or citation for any violations that may have occurred.
- f. Domestic animals exposed to a wild carnivorous animal or bat.
  - (1) In cases of exposure of a domestic animal to a wild carnivorous animal or bat, Animal Control Officers shall refer to the current compendium of rabies control published by the Texas Department of Health Zoonosis Control Division for exposure management guidelines.
- g. Handling of bats.
  - (1) All bat bites should be considered dangerous. Animal Control Officers shall respond and take custody of bats when humans are bitten.
    - (a) Any person bitten by a bat should be instructed to contact their physician immediately.
    - (b) If an animal has been bitten, arrangements can be made with the Brazos Animal Shelter for testing. Bats will not be removed unless the health and welfare of the public is in jeopardy.
    - (c) Under no circumstances are bats to be handled with bare hands.
  - (2) If a bat is killed, the head and brain area should not be damaged so that it can be taken to the Brazos Animal Shelter for rabies testing.
- h. Sick or Injured Animals.
  - (1) Sick and injured animals shall be transported to the animal shelter when the condition of the animal permits transportation.
  - (2) If the animal has Brazos County tags it shall be transported to the veterinarian issuing the tags whenever possible.
  - (3) If, after evaluating the animal in accordance with guidelines established by the Brazos Animal Shelter, it is determined that the animal cannot be transported, the animal shall be destroyed in accordance with procedures established by the Brazos Animal Shelter.
  - (4) Animal Control Officers shall indicate in their report the signs used to make the determination to transport or destroy the animal.
  - (5) When an animal is transported to the shelter, the ACO shall contact shelter personnel for evaluation of the animal. If the animal shows signs of contagious disease, it should be isolated from other animals.

- i. Use of OC spray
  - (1) Animal Control Officers shall be trained in the use of OC spray and shall carry it as part of their regulation uniform.
  - (2) OC spray shall be used as a tool to protect the officer, or in special situations such as to separate two dogs that are fighting.
  - (3) Anytime OC spray is utilized, the Animal Control Officer shall complete a report documenting the facts of the call.
  - (4) If OC spray is utilized by an Animal Control Officer against a person, a use of force report will also be completed.\

**B. The Department shall ensure Animal Control Officers receive appropriate training.**

- 1. Departmental Training:
  - a. Radio Procedures
  - b. Report Writing
  - c. City policies and ordinances
  - d. Citations and warnings.
  - e. Vehicle cleaning and disinfecting.
- 2. Brazos Animal Shelter Training:
  - a. Rabies Animal Control turn-in procedures.
  - b. Shelter forms regarding animal control.
- 3. Texas Department of Health (TDH) Training:
  - a. Animal safety, handling, and first aid.
  - b. Apprehension techniques and capture equipment.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 14, 2002	<b>NUMBER</b> 04-40.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Canine Operations	<b>CALEA</b>
<b>SUBJECT</b> Canine Operations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

## I. PURPOSE

The purpose of this directive is to provide guidelines, policy and procedures for the management and operation of the Department's canine program.

## II. DEFINITIONS

**Canine Handler** – A police officer who has been properly trained in the use and control of a trained police canine.

**Canine Team** – An officer handler and his/her assigned police canine.

**Canine Program Coordinator** – The police officer or supervisor who has been designated by the Department to manage and oversee Departmental Canine Operations.

## III. POLICY

The trained law enforcement canine is a valuable supplement to police manpower. It is the policy of this Department to utilize canines by law enforcement officers. This requires adherence to procedures that channel the canine's specialized capabilities into legally and socially acceptable crime prevention and crime detection activities. Canine teams may be assigned to any component within the department where it is determined that the use of a canine would further the mission of the Department. A Canine Program Coordinator will oversee all canine operations; however, canine teams will operate under the direction of the supervisors of the component to which the canine team is assigned.

## IV. CANINE UNITS

A. Are used to supply canine assistance to:

1. Provide a means to search legally accessible areas where criminal suspects are believed to be present for the purpose of detecting (and alerting officers to) the presence of such persons and making apprehension that presents less risk to human safety than search by officers.

2. Search any legally accessible area for evidence, suspected controlled substances, narcotics, and other illicit contraband.
  3. Provide defensive security for the police command post during civil disturbances or major disasters.
  4. Provide security and control during riots and civil disorders, however, during such disorders, Police Service Canines will not be used offensively off leash.
  5. Assist other agencies as requested in accordance with the Inter-Local Assistance Agreement.
  6. Assist patrol operations as assigned.
- B.** Are supervised by a sergeant designated by the Canine Program Coordinator. The sergeant's responsibilities include:
1. Ensuring the kennels and training areas are properly maintained.
  2. Maintaining a log of unit deployments and other activity.
  3. Maintaining a permanent record of all Police Service Canine apprehensions and bites.
  4. Maintaining records of training and certifications of Police Service Canine and Canine Handlers.
  5. Assuring all equipment is properly maintained.
  6. Coordinating any community policing programs relating to the canine program.
  7. Evaluating requests for demonstrations and program presentations by unit members and requests for unit assistance from other agencies.
- C.** In addition to other patrol officer responsibilities, are responsible for:
1. Knowing their abilities and that of the Police Service Canine.
  2. Maintaining training for their assigned service canine and assisting other canine handlers in maintaining training for their service canines.
  3. Inspecting their assigned Police Service Canine daily and immediately reporting any abnormalities to a Canine Program Coordinator.
  4. Caring for the Police Service Canine when it is sick or injured.
  5. Updating a monthly activity log at the completion of each watch.
  6. Reporting all services rendered the Police Service Canine by a veterinarian and submitting a copy of the bill.

7. Assuming all responsibilities for the Police Service Canine upon its retirement (or waiving the option, in which case the Police Service Canine will be destroyed).
  8. Assuming responsibility for all equipment, seeing it is properly cared for and submitting to a Canine Program Coordinator written notice of all damages, shortages, and/or need of replacement.
  9. Protecting the integrity of the program by not training or teaching non-police canine personnel the methods of police canine apprehensions or detection work without the approval of the Canine Program Coordinator.
  10. Maintaining a kennel at home for the Police Service Canine.
  11. Maintaining a take home, marked police unit for transporting the Police Service Canine and answering calls for service in accordance with department regulations.
  12. Immediately documenting and reporting all apprehensions and/or injuries caused by the Police Service Canine on a Use of Force Form.
  13. Keeping the Canine Program Coordinator aware of all training needs and maintaining the Police Service Canine's proficiency.
- D.** Work assignments, including selection of regular days off, shifts and work hours, are determined by the Canine Program Coordinator subject to approval by the Beat Lieutenants.
- E.** Are in a non-restricted on-call status.
- F.** Are allotted one hour of each working day to inspect, groom and feed the Police Service Canine and maintain the home kennel and canine vehicle.
- G.** Must have completed two (2) years of service following completion of field training. Prior police experience may be considered. In addition to the selection process specified in canine unit Standard Operating Procedures, the Beat Lieutenants and the Canine Program Coordinator will evaluate candidates through an interview and a field/practical evaluation of fear of dogs, athletic ability, and physical stamina.
- H.** Are issued blue, fatigue-type uniforms for wear when in service with a Police Service Canine. On all other duty times officers are to wear the standard police uniform.
- I.** Are assigned to work with dogs selected by the Department as follows:
1. Canines should be from one to three years of age, male, in good physical condition, of good temperament, not afraid of gunfire and not dog aggressive. Females may be accepted provided they meet the other criteria and have been spayed not less than thirty days before acceptance or are taking birth control pills.
  2. Before acceptance, the canine and Canine Handler will report to an evaluation area where the Canine Handler will make preliminary tests to evaluate the canine's abilities and potential before a complete physical examination of the canine by a reputable veterinarian. The exam shall include, but is not limited to, an X-ray of the hips and

checks for heartworms, internal and external parasites and infectious and non-infectious diseases.

3. Selected dogs are immunized against contagious diseases such as canine distemper, infectious canine hepatitis, leptospirosis and rabies. The immunizations will continue on a routine basis as well as preventative treatment for heartworms. All legitimate veterinarian bills will be paid by the Department.
  4. Canine Handlers may purchase their canine, obtain a canine from an animal control center or use a canine supplied through the Bryan Police Department.
  5. All Police Service Canines will be tested and certified annually. The certification test will be conducted by experienced canine officers and the Canine Program Coordinator at a location chosen by the Canine Program Coordinator.
- J.** Are assigned marked vehicles to transport the Police Service Canine.
1. Officers issued take home vehicles must live in Brazos County.
  2. Officers must ensure the vehicle receives scheduled preventative maintenance and needed repairs.
  3. Canine Officers may operate the vehicles off duty providing they:
    - a. Dresses professionally, are neatly groomed and are mentally alert.
    - b. Carry official police identification.
    - c. Carry an authorized firearm.
    - d. Monitor the primary police radio channel.
    - e. Advise dispatch of any serious matter coming to their attention that requires police action.
  4. The vehicle will be operated only within the immediate vicinity of the City of Bryan unless on authorized police business.
  5. The vehicle will be parked while off duty in a manner that provides visibility to the public and is not to be used or stored in a way or location which might threaten the integrity of the officer or the Department.
  6. The officer will not allow unauthorized persons to operate the vehicle.
  7. Civilians may ride with the officer while on duty, however, the rider is required to have signed a Department waiver.
- K.** Must meet training and certification standards as follows:
1. Canines will be tested and certified annually through tests conducted by experienced police Canine Officers selected by the Canine Program Coordinator.
  2. Patrol Canines will be certified in apprehension, building and area searches, tracking and evidence searches.

3. Narcotics canines will be certified in marijuana, cocaine, methamphetamine and heroin.
- L. Shared Department-furnished items of equipment are maintained centrally by the assigned Canine Program Coordinator.
- M. May participate in no more than two presentations or demonstrations of canine use and capabilities in any one month. Any presentations or demonstrations require Canine Program Coordinator approval.

**V. NARCOTICS CHECKOUT**

- A. Handlers needing a narcotics sample for use in canine training will submit a request in writing to the Canine Program Coordinator indicating the type and amount of narcotic requested.
- B. The Canine Program Coordinator will review and forward the request to the appropriate Bureau Commander with a recommendation to approve or disapprove the request.
- C. The approved request will be returned to the handler who will then submit the request to the Property Control Technician.
- D. The Property Control Technician will issue the approved narcotic sample to the officer after assigning a control number to the sample.
  1. The narcotic sample will be weighed in the presence of the requesting handler. The type of narcotic, weight, control number, date and time will be documented on a checkout form which will be signed by both the requesting handler and the Property Control Technician.
  2. The narcotic sample will be sealed using appropriate techniques to insure integrity of the sample.
- E. Records of narcotic samples checked out for training purposes will be maintained by the Property Control Technician.
- F. Once issued, the responsibility for maintaining the security of the narcotic sample belongs to the handler. The narcotic sample will be stored in a secure location within the police building when it is not being used for training purposes. The handler will keep the Canine Program Coordinator apprised of where the narcotic sample is being stored. The narcotic sample is subject to inspection at any time by the Canine Program Coordinator, the handler's supervisor, or any Command Officer.
- G. Any loss or spillage of the narcotic sample will immediately be reported to a supervisor and/or Canine Program Coordinator who will report the incident to the handler's Bureau Commander. The loss or spillage will be documented and forwarded to the Internal Affairs office. Internal Affairs will review the incident and document findings of the review in a report which will be forwarded to the Chief of Police and the handler's Bureau Commander.

- H.** A narcotic sample used for canine training that becomes old or contaminated will be returned to the Property Control Technician for disposal according to law and Department procedure.
  - 1.** If the returned narcotics sample is in its original packaging with original seal intact to the satisfaction of the Property Control Technician, the sample will be weighed in the presence of the handler to verify that it is the same sample that was checked out to the handler. The weight and control number will be documented on the original checkout form. Both the handler and Property Control Technician will sign the form.
  - 2.** If the returned narcotic sample has had the original packaging seal broken or the seal integrity is not to the satisfaction of the Property Control Technician, the sample will be tested. After weighing, the test results, weight and control number will be documented on the original checkout form and signed by both the handler and Property Control Technician.
- I.** Any discrepancies in the returned narcotic sample will be immediately reported to the officer's Bureau Commander by the Property Control Technician. The discrepancy will be fully documented by the Property Control Technician. Internal Affairs will conduct an inquiry into the discrepancy and report findings to the Chief of Police and the handler's Bureau Commander.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 14, 2005	<b>NUMBER</b> 04-41.1
<b>CATEGORY</b> Law Enforcement Operations	<b>INDEXED AS</b> Directed Deployment Team	<b>CALEA</b>
<b>SUBJECT</b> Directed Deployment Team		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policies and guidelines concerning the organization and function of the Directed Deployment Team (DDT). Specific procedures for the Directed Deployment Team (DDT) are addressed in the DDT Standard Operating Procedures manual.

**II. POLICY**

The Bryan Police Department is committed to addressing chronic criminal activity and quality of life issues that may be identified within particular areas or neighborhood within the City of Bryan. It is the policy of the Department to utilize the Directed Deployment Team (DDT) to assist in addressing identified chronic crime problems, vice crimes, maintaining and disseminating gang intelligence information as appropriate, and assisting operational elements as necessary in addressing quality of life issues.

**III. ORGANIZATION**

- A.** The Directed Deployment Team is a component of the Special Operations Division of the Field Operations Bureau.
- B.** The Directed Deployment Team is primarily responsible for the suppression of vice related crimes including the maintenance and dissemination of gang intelligence data. The Directed Deployment Team will also assist beat sergeants in combating chronic crimes or quality of life issues in their respective zones.
- C.** The Directed Deployment Team is supervised by a Sergeant who reports to the Special Operations Lieutenant. The supervisor is responsible for planning, directing, and coordinating the daily activities of the team. The team is made up of five (5) officers who work a varied schedule based on the needs of the unit.

**IV. FUNCTION**

- A.** The primary goal of the Directed Deployment Team is to make for safer neighborhoods and combating vice crimes within the City of Bryan.
- B.** Services provided by the Directed Deployment Team include but are not limited to:
  - 1.** The investigation and suppression of vice crimes.

2. The gathering, storage, and proper dissemination of gang intelligence information
3. Assisting zone sergeants with problematic areas in their beats.
4. Assisting other divisions of the department as needed and at the direction of the Special Operations Lieutenant

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 06, 2006	<b>NUMBER</b> 05-01.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Line Inspections Staff Inspections	<b>CALEA</b> <a href="#">53.1.1</a> <a href="#">53.2.1</a>
<b>SUBJECT</b> Line & Staff Inspections		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedures concerning line and staff inspections.

**II. DEFINITIONS**

**Line Inspection** – Inspection conducted by personnel who supervise, command, or control the persons, facilities, procedures, or other elements being inspected.

**Staff Inspection** – Inspection conducted by personnel designated by the Chief of Police

**III. POLICY**

The inspection process is an essential mechanism for evaluating the quality of the Department’s operations, ensuring that Departmental goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the Department. Facilities, vehicles, equipment, records, personnel, procedures, reports, and any other operational aspect within the Department are subject to inspection by supervisory and command personnel. Line inspections shall be conducted by first-line and mid-level supervisors on a daily, weekly, or monthly basis, depending on the subject of the inspection. Staff inspection shall be conducted at the direction of the Chief of Police.

**IV. RULE/REGULATION**

- A.** Informal inspections shall be conducted on a daily basis to ensure that employees are equipped and attired according to Department rules and regulations.
- B.** Supervisors shall conduct inspections in a fair and impartial manner. *(53.1.1c)*
- C.** Supervisors conducting inspections shall ensure that deficiencies are remedied in a timely manner. If necessary, a re-inspection will be conducted to ensure that suitable corrective action has been taken. *(53.1.1c, e) (53.2.1d)*
- D.** Formal inspections shall be conducted at the discretion of command level personnel to determine the condition and adequacy of all personnel and equipment.

- E.** Any inspection, whether formal or informal, that reveals serious deficiencies in personnel, equipment, or facilities will be documented in a written report and forwarded to the next higher level of command. *(53.1.1c, d)*
- F.** Any supervisory or command level officer receiving such a written report will take the necessary steps to ensure that suitable corrective action is taken. If the officer receiving the report does not have the authority to ensure suitable corrective action, the report will be forwarded through the chain of command until it reaches an appropriate level of command. *(53.1.1c, e)*
- G.** Inspection of vehicles shall be conducted in accordance with General Order 04-03 (Routine Operations and Maintenance). *(53.1.1a, b)*

## **V. PROCEDURES**

- A.** Line Inspections: Line inspections shall be conducted on a regular basis by division and unit level supervisors to ensure that employees are abiding by the established policies and procedures of the city and the department. Line inspections should also be directed towards ensuring that all equipment and vehicles are in good repair and that each division or unit is making progress towards its stated goals and objectives. *(53.1.1a, b)*
  - 1.** Employee deficiencies shall be handled by supervisors through counseling, written reprimands, etc., as outlined in this manual. *(53.1.1c)*
  - 2.** Other deficiencies which adversely affect the operation of a unit or division that cannot be corrected at that level shall be made known to the Bureau Commander, in writing, through the chain of command. The Bureau Commander or his/her designee shall meet with the supervisor of the affected division or unit and plan a strategy to address the identified problems. Within 30 days of the meeting the supervisor of the division or unit shall submit a progress report to the Bureau Commander, through the chain of command. *(53.1.1c, d)*
- B.** Staff Inspections: Staff inspections shall be conducted within all departmental components at least every three years to ensure that all components within the department are working in coordination with one another to achieve the mission, goals, and objectives of the department. Staff inspections shall be geared to identify potential problems and needs and to ensure that: the department is fulfilling its legally mandated function; departmental records and reports are accurate and up to date; departmental training is timely, effective, and appropriate; division and unit procedures are effective and productive; unity of command is maintained throughout the department. *(53.1.1e)*
  - 1.** Staff inspections shall be conducted by a person or persons designated by the Chief of Police. Staff inspectors are granted authority and are authorized to report directly to the Chief of Police during staff inspections. *(53.2.1a)*
    - a.** The Chief of Police may designate certain areas and topics to be addressed during the inspection and shall outline the objectives of the inspection.

- b. The individual(s) conducting the inspection shall not be responsible to any of the supervisors of the unit being inspected nor shall they be responsible in any way for the performance of the unit.
  - c. All staff inspections ordered by the Chief of Police shall require a written report to be submitted to the Chief by the inspector(s).
    - (1) This report shall contain the results of the inspection along with any recommendations for changes or corrective measures. *(53.2.1d)*
    - (2) Necessary documentation to substantiate the findings shall be included as a part of the report.
    - (3) The Chief shall forward copies of the report, complete or partial, to the supervisors having the responsibility for the solution or correction of any identified problems.
  - d. A unit to be inspected shall be notified in writing at least two weeks in advance of the inspection.
    - (1) This notice shall explain the purpose of the inspection and what is expected from the involved unit.
    - (2) The inspection will begin with a meeting of the inspector(s) and the supervisor of the unit being inspected.
    - (3) The inspectors shall outline to the supervisor the scope and objectives of the inspection.
    - (4) The inspection will conclude with a meeting of the inspector(s) and the ranking supervisor of the unit inspected. During this meeting, the inspector(s) shall brief the supervisor on the overall findings and general results of the inspection
  - e. The Chief of Police may require progress reports from the unit inspected and/or the supervisors having the responsibility for the solution of identified problems as he/she deems necessary.
  - f. The Chief of Police may require progress reports from the unit inspected and/or the supervisors having the responsibility for the solution of identified problems as he/she deems necessary.
- C. Other Inspections: The Chief of Police may, as deemed necessary, order routine or random inspections of any departmental component, activity, or procedure, or personnel as required to ensure effective and efficient delivery of law enforcement services to the community.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 2, 1988	<b>NUMBER</b> 05-02.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Professional Standards Internal Affairs Employee Misconduct	<b>CALEA</b> <a href="#">52.1.1</a> <a href="#">52.1.4</a> <a href="#">52.1.5c</a> <a href="#">52.1.6</a> <a href="#">52.1.7</a> <a href="#">52.1.10</a>
<b>SUBJECT</b> Internal Investigations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish guidelines applicable to the receipt, investigation, and documentation of complaints of employee misconduct received from sources outside the Department or initiated within the Department.

**II. DEFINITIONS**

**Misconduct** – Conviction of a criminal offense or violation of federal or state law, city ordinance, the City Charter or City Code, the City of Bryan Personnel Policies Manual, or the Standards of Conduct, rules, regulations or orders of the Police Department.

**Class I Complaint** – An allegation of serious misconduct against an employee that could involve criminal activity, abuse of police power, significant discredit to the Police Department, or significant disruption of department processes; normally investigated by the Professional Standards Unit (PSU).

**Class II Complaint** – An allegation of misconduct against an employee of a less serious nature than a Class I complaint; normally investigated by the employee’s supervisor.

**Internal Complaint** – An allegation of misconduct against an employee that is reported by a complainant who is also a departmental employee.

**External Complaint** – An allegation of misconduct against an employee that is reported by a complainant outside the department.

**Third Party Complaint** – An internal complaint or external complaint that originated from a person, known or unknown, but that is reported with the receiving departmental employee or supervisor acting as the complainant.

**III. POLICY**

The public has the right to expect efficient, fair and impartial law enforcement. Therefore, any misconduct by Department personnel must be detected, thoroughly investigated and properly adjudicated to assure the maintenance of these qualities.

The Department is often evaluated and judged by the conduct of individual members. It is imperative that the entire organization not be subjected to public censure because of misconduct by a few of its personnel. When an informed public knows that its police department honestly and fairly investigates and adjudicates all allegations of misconduct against its members, this public will be less likely to question the effectiveness of Department investigations of incidents of misconduct.

Employees must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process. Personnel who engage in serious acts of misconduct, or who have demonstrated that they are unfit for law enforcement service, must be removed for the protection of the public, the Department and the Department employees.

The Department is constantly seeking to improve its efficiency and the efficiency of its personnel. Occasionally, personnel investigations disclose faulty procedures or policy failures that otherwise would have gone undetected. These procedures can then be improved or corrected.

All personnel complaints will be classified as Class I and Class II as defined above. As a general rule, Class I complaints will be investigated by the Professional Standards Unit, and Class II complaints will be investigated by the implicated employee's supervisor. PSU personnel are granted the authority to stop or intervene into any supervisory investigation and assume responsibility for investigation of the complaint. Additionally, the Chief of Police may assign a complaint investigation wherever he chooses without regard to classification or personnel assignment. All completed complaint investigations, regardless of classification, will be routed to PSU for review and maintenance. *(52.1.Ia, b, c)*

#### **IV. COMPLAINT RECEIPT**

##### **A. Employee Receiving Complaint.**

1. An employee who receives or is notified of a complaint or allegation of employee misconduct will immediately refer the complaint and/or complainant to the immediate supervisor of the complained-on employee. If the immediate supervisor is not available, referral should be made to another supervisor in the complained-on employee's assigned Division. If no Division supervisor is available, referral is to be made to any supervisor.
2. The receiving employee will make available to the in-person complainant a Personnel Complaint form (first page only) for written documentation of the complaint.
3. Any employee wishing to initiate a complaint against another employee may complete a Personnel Complaint form or directly contact any supervisor.

##### **B. Supervisor Receiving Complaint**

1. Complaints may be given in person, over the telephone, in writing, or via the Internet. Anonymous complaints or those from citizens who wish their names to be held in confidence will be accepted for investigation.
  - a. If a complainant declines or otherwise is unable to sign the Personnel Complaint form, that detail will be noted on the form, and



- c. The investigator will emphasize to the employee that the employee is not to discuss the investigation or details of the incident with anyone other than his/her attorney.
2. Service of the complaint on the employee as indicated in this section may be delayed if confidentiality of the investigation will be impaired.
  3. When other misconduct is discovered during an investigation, the Personnel Complaint Form will be revised through an amending memo. The amending memo will be served on the employee. If the activity is found to have involved another employee, a complaint will be served on that employee.

## **B. Investigation Procedures**

1. If the complaint alleges a violation of criminal law, the appropriate investigative segment may conduct a criminal investigation while a separate concurrent administrative investigation is conducted by PSU.
  - a. The conducting of a criminal investigation does not require a delay of an administrative internal investigation.
  - b. The administrative investigator is allowed access to all facets of the criminal investigation, but details of the administrative investigation will not be released to the criminal investigator.
2. Tests, Photographs, or Lineups
  - a. While conducting an investigation of a complaint of employee misconduct, PSU personnel are delegated the same authority as that held by the Chief of Police to order polygraph exams, medical exams, chemical tests, drug tests, financial disclosure statements, or participation in a physical lineup. *(52.1.7 a thru e)*
  - b. Failure or refusal to comply with the order is grounds for dismissal from the Department as conduct prejudicial to good order or insubordination.
3. Accused Employee Interview
  - a. Any interview of the accused employee will be held during the employee's normal duty hours or at an otherwise reasonable time unless exigent circumstances exist. Interviewers will identify themselves to the employee and inform the employee of the nature of the investigation.
  - b. If the interview is recorded the employee may request a copy of the recording, and it will be provided to the employee within five days after the request.
    - (1) If the recording is transcribed the employee may request a copy of the transcription, and it will be provided to the employee within five days after either the request or the completion of the transcription, whichever occurs last.
    - (2) The employee is prohibited from sharing the contents of the recording or transcription with anyone except the employee's attorney.
  - c. The interview of an accused employee may not be unreasonably long. In determining the reasonableness of the duration of an interview, the gravity and complexity of the investigation must be considered. The interviewer will allow reasonable interruptions of the interview to allow the employee to attend to personal physical necessities.

- d. Prior to conducting an interview in a Class I investigation, the interviewer will advise the accused employee of the “Garrity” warning.
  - e. If the accused employee resists cooperating with the assigned investigator in a Class II investigation, the complaint and all attachments will immediately be forwarded via chain of command to PSU for assignment.
  - f. Failure to submit a written or oral statement or failure to answer any question when required is grounds for dismissal from the Department as conduct prejudicial to good order or insubordination.
4. Unless special circumstances exist, investigations of employee misconduct must be completed within thirty (30) calendar days of service of the complaint on the accused employee. (52.1.4)
- a. Investigators needing additional time must request and receive an extension from the Chief of Police prior to the expiration of the original thirty day period.
  - b. If more than one employee is implicated in the complaint, the thirty day period begins with complaint service on the first employee.
  - c. If no employee is served, the thirty day period begins with the assignment of the investigation.

### C. Final Investigative Report

1. The investigative report will include a recommended finding for each allegation.
  - a. Sustained: The evidence tends to support the allegation of misconduct.
  - b. Unfounded: The evidence tends to disprove the allegation of misconduct.
  - c. Exonerated: The evidence tends to support factual occurrence, but conduct does not appear improper.
  - d. Not Sustained: There is insufficient evidence, either to prove or disprove the allegation of misconduct.
2. The investigator will document in the report all interviews, recorded or otherwise, conducted during the investigation, even if no useful information was gained from the interview.
3. The completed investigative report will be submitted for review within the appropriate time period. This report is deemed confidential attorney work product, not to be disclosed except by express waiver or court order.
  - a. Class I investigations will be reviewed by the City Attorney, the Director of Human Resources for the city, and each level of the accused officer’s upward chain of command.
  - b. Class II investigations will be reviewed by each level of the accused officer’s upward chain of command.
  - c. Following the above review the Chief of Police is responsible for the final determination of findings and imposition of appropriate discipline, if any.

### D. Professional Standards will ensure that:

1. The complainant is notified of the final disposition of a complaint in a letter approved by the Chief of Police. (52.1.5c)



2. The employee is notified by memorandum of the final disposition of a complaint.
3. A weekly status report is submitted to the Chief of Police on all investigations being conducted by PSU. Annual Statistical summaries of discipline are submitted to the Chief of Police for publication to public, media, and/or other agencies.

## **VI. RECORDS AND REPORTS**

- A. All records of completed investigations of employee misconduct will be permanently filed at the PSU office. These files will be segregated from all other department files and will be kept secure at all times. *(52.1.10)*
  1. Access to the files is limited to:
    - a. Chief of Police, Assistant Chiefs, and Division Commanders
    - b. Attorneys employed by the City of Bryan City Attorney's Office
    - c. Personnel assigned to PSU. Temporarily-assigned investigators may have that access necessary to accomplish their purpose during the time of their temporary assignment only.
  2. Review of the files by any other personnel either within or outside the Department will be permitted only with the authority of the PSU commander, as authorized by the Chief of Police.
- B. Records maintained in PSU will be kept in accordance with the City of Bryan record retention policy.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> August 27, 2004	<b>NUMBER</b> 05-03.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Public Information Media Releases	<b>CALEA</b> <a href="#">41.2.5</a> <a href="#">45.2.1</a> <a href="#">55.1.3</a>
<b>SUBJECT</b> Public Information & Community Relations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning relations between the Department and the news media.

**II. POLICY**

The Bryan Police Department is committed to establishing close ties with, and responding to the needs of the media and community. The personal contact of each employee of the Department is the primary factor in promoting a program of desirable police-media-community relations. All members of the Department are encouraged to cooperate fully with the media, within the guidelines of this policy, in providing information to the community about the affairs of the Department. The Department is committed to modifying policies, practices, attitudes, and behavior that might contribute to community tension and grievances.

**III. RULE / REGULATION**

**A.** In order to meet the needs of the press and the public regarding the dissemination of information the Bryan Police Department shall establish the position of Public Information Officer (PIO). The PIO will have specific responsibilities regarding the release of public information and the availability to respond to the news media.

1. In addition to assisting on-scene supervisors in media inquiries during normal business hours, the PIO will be available to assist during any crisis situations that occur within the Department's jurisdiction. The PIO will also assist in preparing information for release, whether media representatives are present or not.
2. The PIO will arrange news conferences when the Chief of Police or the designee determines it is necessary to disseminate information concerning police or criminal activities that are of a broad public concern.
3. The PIO is responsible for the preparation and distribution of press releases.
  - a. Press releases are developed and distributed on an as needed basis.





4. Statistical information of a general nature, such as crime rate information, may be released to the media or other interested parties by the Chief of Police or designee.
5. Information concerning the operation of the Department, that does not fall within the guidelines provided in this order, will not be released without prior approval of the Chief of Police, or designee.

**E. Release of Information Prior to Arrest or upon Issuance of a Warrant:**

1. The following information may be released prior to an arrest, or upon issuance of an arrest warrant: (This will be coordinated with the Bureau in charge of the investigation and the PIO).
  - a. A description of the exact offense, including a brief summary of events.
  - b. Location and time of the offense.
  - c. General injuries sustained or damages resulting from the action.
  - d. Identity of the victim (unless the victim is a minor, the victim of a sexual assault). Officers should use discretion in releasing information about victims to avoid unnecessary embarrassment or harassment.
  - e. Whether or not there are suspects.
  - f. Information about unidentified suspects such as physical description, vehicle description, or other information that may lead to the suspect's apprehension.
  - g. Identification of fugitive suspects for whom a warrant has been issued.
  - h. Criminal background of the fugitive or other facts when the public should be alerted to danger.
  - i. Method of complaint (officer observation, citizen, warrant, indictment).
  - j. Length of investigation and name of the supervisor in charge of investigation.
2. The following information will not be released prior to an arrest, or prior to the issuance of an arrest warrant:
  - a. Any information that would jeopardize the security of the investigation.
  - b. Identity of suspects who are interviewed but not charged.
  - c. Identity of witnesses when the disclosure would result in a probability of specific, material harm to the investigation, the privacy or confidentiality of a witness or victim, or the best interests of the State.
  - d. Exact identifying information about the weapon or other physical evidence.
  - e. Any information that could be known only to the guilty party.
  - f. Information about valuable items not stolen.
  - g. Conjecture about suspects or fugitives.
  - h. Misleading or false information.

**F. Release of Information After an Arrest:** This procedure applies to juveniles and adults. Release of this information will be coordinated with the Bureau in charge of the investigation and the PIO.

1. The following information may be released:
  - a. Time and place of arrest.

- b. Arrestee's name, address, age, residence, employment, family status, marital status, and similar background. If a juvenile, the suspect must be detained at a juvenile facility prior to the release of information.
- c. The charge and circumstances of the offense.
- d. Facts and circumstances relating to the arrest such as resistance offered, pursuit, possession or use of a weapon, or description of contraband discovered.
- e. Description of property seized as evidence at the time of arrest, and information as to the purpose of a search warrant, if applicable.
- f. Name of investigating and arresting officers (provided identifying the officers will not place them in jeopardy), the length of the investigation, and whether there were witnesses. However, names, addresses, and testimony of witnesses may be released, provided that such disclosure would not result in a probability of specific, material harm to the investigation, the privacy or confidentiality of a witness or victim, or the best interests of the State.
- g. An indication as to whether the suspect has made a statement, unless there is a substantial likelihood of materially prejudicing the proceeding.
- h. Acknowledgement that DWI tests were offered, or were not offered, in compliance with the law.
- i. Officers may release the fact that laboratory tests will or will not be performed on evidence.
- j. Results of any examinations or tests, provided that the release of the information will not result in a probability of specific, material harm to the investigation, the privacy or confidentiality of a witness or victim, or the best interests of the State.
- k. Description or results of the laboratory examination of physical evidence, provided that the release of the information will not result in the probability of substantial, material harm to the investigation, the privacy or confidentiality of a witness or victim, or the best interests of the State.

**2.** The following information will not be released:

- a. Comments about the character or reputation of a suspect or a witness.
- b. Re-enactment of the crime, unless done for the purposes of a "Crime Stoppers" or similar presentation.
- c. Comments about the credibility or expected testimony of a suspect or witness.
- d. If the information for the arrest was derived from an informant.
- e. Any opinion as to the guilt or innocence of a defendant or suspect.

**G.** Suspect's Contact with Media Representatives: Suspects being detained at Brazos County detention facilities will be required to contact County detention personnel for authorization to speak with members of the news media. Media representative(s) requesting to meet with suspects detained at Brazos County facilities will be referred to that agency for authorization to conduct the interviews.

**H.** Suspect Photographs: Photographs of suspects may be released to the media. If a person is not wanted, and is under no suspicion of any continuing criminal activity, their photograph will not be released.

- 1.** Photographs may be taken of a suspect exposed in transit, but the suspect will not be posed by an officer.

2. The primary investigating officer may release a photograph with the permission of a Division Lieutenant when:
    - a. The aid of the public is sought in identifying or apprehending a suspect.
    - b. The suspect has been arrested.
    - c. Arrest numbers and other identifying information or mug shots have been removed.
  3. Photographs of suspects will not be released if in-person or photographic lineups have yet to be conducted by investigators.
- I. Death Information:** Information released to the news media on the cause of death in cases under investigation by the Department will only be taken from the Medical Examiner's written report.
1. Employees will not attempt to interpret findings, and will refer such requests to the Medical Examiner.
  2. If a Medical Examiner's Report is unavailable, requests for cause of death information will be referred to the Medical Examiner's office.
  3. The identity of persons who have died will not be released to the media until the next of kin has been notified.
- J. Release of Property Loss Amounts**
1. Information regarding the amount of money or other items of value taken during any crime may be released to the media, except when the release of the information would result in a probability of substantial, material harm to the best interests of the State, or interest of privacy and confidentiality.
  2. The decision to release information will rest with the supervisor in charge of the investigation.
- K. Public Appearances by Employees:** Because of the numerous requests from the various media sources and public groups to present personnel of the Department in films, advertisements, presentations, etc., formal approval will be obtained from the employee's Division Lieutenant prior to the employee taking part in such activities. The PIO should also assist in the coordination of these events.
1. All requests for media appearances will be coordinated by the appropriate Division Lieutenant and the PIO. The script, the geographical or subject areas to be covered, the type of program, etc., will be evaluated prior to giving permission to the employee.
  2. Public appearances before local groups for the purpose of discussing police problems will only be authorized through the Chief of Police.
  3. Nothing in the policies and procedures shall prevent employees from making statements relating to news items which do not violate the guidelines established in these orders.

**L. Community Relations Plan**

1. The Public Information Officer shall be responsible for developing and implementing a community relations plan to include provisions for the following:
  - a. Establishing liaison with formal community organizations and other community groups. *(45.2.1a)*
  - b. Developing community relations policies for the Department. *(45.2.1c)*
  - c. Publicizing agency objectives, problems, and successes. *(45.2.1d)*
  - d. Conveying information transmitted from citizens' organizations to the Department. *(45.2.1e)*
  - e. Improving agency practices bearing on police/community relations. *(45.2.1f)*
  - f. Identifying community relations training needs through interviews with citizen representatives, consultations with internal affairs officers, and conferences with supervisors. *(45.2.1g)*
  - g. Establishing community groups where such groups do not exist and a need has been identified. *(45.2.1h)*
  - h. Once developed and approved by the Chief of Police, the community relations plan along with all community relations programs shall be evaluated and updated on an ongoing basis.
2. The responsibility for achieving the Department's community relations goals shall be shared by all Departmental personnel. *(45.2.1b)*

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> December 5,2005	<b>NUMBER</b> 05-04.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Victim Information Crime Victim Liaison	<b>CALEA</b> 55.1.2c 55.1.3d 55.2.1a,b 55.1.2 55.2.1 55.1.3d 55.2.2 55.1.3c 55.2.3 a 55.1.3b 55.2.3b 55.1.3b 55.2.3c,d 55.1.3a 55.2.4 55.1.3b
<b>SUBJECT</b> Crime Victim's Assistance Program		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The Texas Legislature passed the “Texas Crime Victim’s Assistance Act” to allow for monetary compensation of persons who suffer medical or funeral expenses directly related to violent criminal activity. This legislation requires each law enforcement agency to designate an individual to assist victims. The Bryan Police Department is committed to serving citizens and visitors with a comprehensive victim services program that goes beyond the standard services required by state law. The Bryan Police Department has changed this aspect of law enforcement by paying more attention to the needs of victims, witnesses, and family members. The goal of the program is to alleviate the psychological and emotional trauma experienced as the result of a crime that occurred within the Bryan Police Department’s jurisdiction. The department will observe the rights of victims and witnesses in all investigations and will take the necessary steps to ensure that crime victims and witnesses are provided with the information and assistance necessary to protect these rights. Chapter 56 of the Texas Code of Criminal Procedure defines and outlines the rights of crime victims.

**II. POLICY**

It is the policy of the Bryan Police Department to treat victims and witnesses of crimes with fairness, compassion, and dignity, to provide them with information on the rights of crime victims and the assistance available to them through the Bryan Police Department, the State of Texas, and other local agencies. The department is also committed to the development, implementation, and continuation of appropriate victim and witness services, programs, and activities. Victims will also be considered witnesses in reference to this policy.

**III. PROCEDURES**

**A. Organization and Administration**

1. The Crime Victim Coordinator will maintain a working relationship with other local agencies involved in providing assistance to victims. (55.1.3d)
2. The Coordinator will ensure the needs of crime victims in our local area are being met by conducting an analysis at least every three years of services being offered through the program. Various sources for analysis may include, but are not limited to, citizen questionnaires, interdepartmental surveys, personal interviews, observations, and surveys from agencies providing assistance to crime victims in the local area. (55.1.2)

- a. Through analysis, the unfulfilled needs of local victims will be identified. From this analysis, it will be determined which of those needs would be appropriate for the department to meet.
  - b. Using information obtained through the analysis described above and other appropriate sources, the Coordinator will establish appropriate goals and objectives for the Crime Victim Assistance Program.
  - c. The Coordinator will maintain an updated list of services available in the area to victims. Contact numbers and addresses will be made available to the department and brochures will list appropriate services. *(55.1.3 d)*
  - d. The Coordinator may occasionally make public appearances and/or assist with media releases detailing crime victim assistance services. *(55.1.3 c)*
3. The Coordinator shall adhere to the Code of Ethics followed by the organization and a copy of the code will be in the Coordinator's office.

## **B. Records**

1. Any documents completed by the Coordinator and the victim shall be secured in the Coordinator's secure office. Unless authorized by requirements of the law or by a release of information consent signed by the victim, the information in the files shall remain confidential. *(55.1.3 b)*
2. The Coordinator is responsible for the safe and confidential storage and disposal of records. Employees of the department should be considerate of the sensitive nature of confidential records and informed of appropriate procedures. *(55.1.3 b)*
3. Offense reports and supplemental reports will include in the narrative the information provided to the victim by the officer. Officers shall notify victims of the assistance available to them by the Bryan Police Department and by the State of Texas. The officer should educate the victim on the services offered by the program. The Coordinator will train the department on the proper procedures for describing the program to the public. *(55.1.3 a)*
4. Release of victim names and other information will be done only in accordance with the requirements of applicable laws, and within parameters established by General Order 25-01.1 (Use of Pseudonym). *(55.1.3 b)*
5. In order to provide written material to victims, copies of brochures administered by the state and from local programs will be kept available in the lobby of the police department.
6. The department's website shall contain a link to the State Victim Bill of Rights Legislation and contain up to date information for contacting the Coordinator and information about the services provided by the program. Victims should be advised by department members and the city website should clearly state the limitations of computers in regards to confidentiality. E-mail contact from the general public to the Coordinator has the potential of being traced and the victim should be aware that confidentiality could be jeopardized through this means of communication. In addition, transmissions made over the radio to the Coordinator should not contain identifiable victim information in order to maintain confidentiality standards. *(55.1.2 c)*

7. The Coordinator will be responsible for completing and maintaining required performance data and reports.

### C. Training and Education

1. The Crime Victims Coordinator in conjunction with the Training Unit shall conduct training about the program and state requirements concerning victims for new civilian and sworn personnel upon employment. This training shall be part of the new employee orientation training.
2. Professional growth is continuous throughout the Coordinator's career. Continuing education should be pursued to ensure competent service is being offered to our community.
3. All departmental personnel will receive training in the availability of Victim Assistance Programs and in the methods to refer victims to the Coordinator.

### D. Operations

#### 1. First Response

- a. Victims of violent crimes or their dependants shall be advised of the Texas Crime Victims Compensation Act at the time of the incident or as soon as practical. [\(55.2.1 a,b\)](#)
- b. Officer Responsibilities

(1) The officer taking the preliminary report shall advise the victim or the dependant of the victim that under certain circumstances they may be eligible for benefits under the Act, and that as a victim of a violent crime, they have certain rights which are described in the brochures provided by the State Attorney General. [\(55.2.1 b\)](#)

(a) The officer should advise the victim or dependants of the victim that should further information be needed, they may contact the police department 24 hours a day for information on agencies which provide services to victims. [\(55.2.1\)](#)

(b) The officer should if such instruction seems necessary, further inform the victim that emergency services, if needed, including police and medical assistance may be obtained through use of the 9-1-1 emergency system. [\(55.2.2\)](#)

(2) The officer shall advise the victim or dependent of the name, title, and phone number of the department's Coordinator who may provide further information. The fact that the victim or dependant was advised of the act and given contact information for the department's Coordinator shall be shown in the narrative section of the report. [\(55.2.1\)](#)

(3) The officer should, when appropriate, inform the victim about what to do if the suspect, or the suspect's companions or family threatens or otherwise attempts to intimidate the victim. [\(55.2.3 b\)](#)

(4) If possible, the officer should provide the victim with the report number of the offense, and inform them that they should contact the regular department number

and refer to that case number if further information about the case is discovered. The victim shall be provided with the direct number to the Coordinator. (55.2.3 d)

- (a) If the victim has questions regarding follow-up of the case, the officer should explain the case management policy to them, and inform them that they may contact the police department later to check on the status or assignment of the case. (55.2.3c)
  - (b) The officer should not tell the victim that a detective will contact them, or make an appointment for re-contact by any investigative unit, but inform the victim to contact the police department if there are any questions or concerns.
  - (c) The officer should not tell the victim that the Coordinator will contact them. The victim should be given the information necessary for them to initiate contact with the Coordinator.
- (5) The Coordinator will provide all members of the Bryan Police Department with referral information by means of a comprehensive and up to date social service referral list and periodic in-service training. The list will also be made available to Intake personnel.
- (6) Some cases may require a victim to be escorted to a local shelter or safe place during an emergency. The Coordinator may serve this function when appropriate.
- (a) Appropriateness will be determined by the on-duty supervisor.
  - (b) The person needing transportation should have no other method of safely arriving at the shelter or safe place. The person cannot be causing any type of problem or threat for sworn personnel.
  - (c) If the Coordinator is being called out after hours for this purpose, then it shall be because direct danger could come to the victim if the victim had to wait until regular business hours. If this danger is not present, then the victim should be advised that the service will be available to him or her during regular office hours.
  - (d) This service is vital for victims that desperately need help. It shall not be abused or unjustly utilized for any other purposes. The primary justification for the service is on an emergency basis in which the victim does not and will not have any other method of arriving at a safe location.
  - (e) When escorting a victim, the Coordinator will record mileage with dispatch for each escort regardless of gender. The victim being escorted shall be required to remove all personal items from the vehicle after arriving at the safe place. The Coordinator shall not take possession of any items belonging to a victim.

## 2. Follow Up

- a. Based on the facts of each case, the Coordinator will determine if follow-up contact regarding victim assistance is needed. If this is so, the Coordinator will initiate or direct the initiation of that contact. (55.2.4 a)
- b. The Coordinator should explain to the victims their role in the prosecution of their cases. (55.2.4 b)
- c. The Coordinator and detectives will work together to keep further hardship of the victim at a minimum.

- (1) Scheduling of line-ups, interviews, testing, and other appearances should be scheduled with the convenience of the victim in mind. (55.2.4 c)
- (2) If necessary and feasible, transportation to appearances related to the investigation should be provided. (55.2.4c)
- (3) Property of the victim taken as evidence should be returned as quickly as possible without interfering in the prosecution of the case. (55.2.4 d)
- (4) If appropriate and requested by the victim, obtaining a police chaplain to work with the victim through the follow-up investigation should be arranged. (55.2.4 e)

### 3. Post Arrest

- a. The Coordinator should ensure that the victim is contacted and informed of the arrest of the suspect in the case. Other people may be notified of the arrest as deemed appropriate.
- b. Should it be appropriate due to concerns of retaliation or intimidation, the Coordinator should make every reasonable effort to keep the victim informed of the custody status of the suspect. (55.2.2) (55.2.5)
- c. The Coordinator should ensure that the victim is aware of the actions to take if threats or other forms of intimidation or harassment are received as a result of the case. (55.2.2)

### E. Specific Services

1. The department and Coordinator must recognize that citizens have the freedom of choice regarding services offered by the program. The citizen has the right to accept or refuse any portion of the assistance and persons involved should respect their decision.
2. Services available to the victim include advocate crisis support, death notification assistance, crime scene clean-up information, referral to other community services, preparing the victim for participation in the Criminal Justice System, and location of emergency needs such as food, clothing and shelter. (55.2.3 a)
3. The Criminal Justice System can be difficult to navigate through and hard to understand. The Coordinator should provide victims with information regarding their particular case and explain the criminal justice process as it applies specifically to them. (55.2.4 b)
4. Educational programs on topics such as victim advocacy and awareness of crimes can be offered by the Coordinator to the general public and the department. The Coordinator should practice within the boundaries of his or her competence and provide only those services for which they are qualified by training, education, or experience.
5. The Coordinator should maintain an office atmosphere that is conducive for families to meet in confidentiality. (55.1.3 b)

### F. Referral for Services

1. Most of the services provided to victims will be done by prearranged appointments. Victims become informed about the services available to them through three main avenues.

- a. Sworn and non-sworn employees can refer a victim to the Coordinator by informing them of the department's program. After supplying the victim with information, the department employee shall then allow the victim to initiate any desired services. If departmental employees believe the Coordinator should be made directly aware of a situation, then it should be done so through a copy of the case number forwarded to the Coordinator via e-mail. The e-mail shall never contain specific names, problems, or other identifying information due to a commitment by the Coordinator and the department to uphold confidentiality.
  - b. The Coordinator will directly contact any victim that might benefit from the services offered unless instructed otherwise by the CID Lieutenant.
  - c. Persons within the community can initiate services offered by the program.
2. Not all meetings with victims will be able to be made by prearranged appointments. The Coordinator will be available to meet with victims if another appointment is not already scheduled. If there is a prior appointment then the Coordinator may cancel an appointment only on the basis of an emergency. Canceling appointments must be carefully handled as to not further distress a victim.

#### **G. Victim coordinator Call Out**

Any officer who feels that a situation exists which would warrant calling the Coordinator out shall report the situation to his/her supervisor. If the Criminal Investigation Division is called to the scene, the detective responding can also inform the supervisor of the situation that would warrant calling the Coordinator out. The supervisor on duty will make the determination as to whether the situation warrants calling out the Coordinator. If the Coordinator call-out is authorized, the following procedures will be followed:

1. Contact the Coordinator and advise him/her of the details of the incident. The pager assigned to the Coordinator or telephone can be used for this purpose. The Coordinator can be called out if the supervisor determines that the victim requires immediate assistance that should not wait until regular business hours.
2. Currently, the department has only one employee to perform the job of the Coordinator. The Coordinator will maintain a work schedule that is conducive to victim availability as approved by the CID Lieutenant. The Coordinator will not be on-call or standby status.
3. Traditional situations that warrant calling out the Coordinator will be taught to the department by the Coordinator during in-service training. Unique circumstances will require professional judgment by the supervisor.
4. When appropriate, the victims will be brought to the police department to meet with the Coordinator in an office setting. If not appropriate, the Coordinator will respond directly to the scene and meet with the primary officer, detective or supervisor on duty. Most contact between the Coordinator and victims should take place in a private office at the Bryan Police Department. If other arrangements need to be made then the Coordinator should use personal discretion. The Coordinator's supervisor will be consulted for approval when unique situations arise. At no time shall the Coordinator place herself/himself in any danger when responding to locations other than the police department.

5. When responding to the scene, the Coordinator shall check in with communications by radio using the department's assigned number.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 5, 2004	<b>NUMBER</b> 05-05.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Citizen Ride-Alongs Ride-Along Program	<b>CALEA</b>
<b>SUBJECT</b> Ride-Along Program		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this general order is to establish policy and procedures governing the Department's ride-along program.

**II. POLICY**

The ride-along program is designed to provide interested citizens and members of other departmentally sanctioned programs the opportunity to gain additional insight into the daily activities and functions of the Department by riding with officers during a normal shift. Citizen ride-alongs will be conducted under controlled conditions to ensure the safety of all participants. It is the policy of the Bryan Police Department to allow citizens access to the daily operations of the Department in order to foster greater understanding and community support.

**III. PROCEDURES**

**A. Authorization**

1. Authorization for a ride-along will be approved by the Lieutenant of the Division for which the ride-along is requested.
  - a. Once approved, the Division Lieutenant will forward the application to the Sergeant assigned to the shift for the ride-along period.
  - b. The date, times and/or any special conditions shall be noted on the waiver form.
  - c. Approval will only be for one specific shift period subject to any limitations set by the approving supervisor.
  - d. Supervisors will do their best to ensure that any given shift, day or night, is not assigned more than two citizen riders.
  - e. The Sergeant will finalize arrangements and make the assignment.
  - f. The completed application and waiver form will be maintained by the Day Patrol Division Lieutenant in a centralized location.
  - g. Supervisors may, under special circumstances, waive the ten (10) working day requirement for receipt of ride-along applications.



2. A ride-along may be cancelled or discontinued at any time when circumstances are such that it is in the best interest of the Department, there are special circumstances, or for the safety of the rider, the public, and/or officer(s). A memo via e-mail from the person canceling the ride-along shall be submitted through the appropriate chain of command outlining the circumstances and justifications for such action.
3. Waiver forms must be completed each time a rider participates in the program unless the ride-alongs are for a continuous period of time, i.e. Bryan High School C.J. Academy, etc.

## **B. General Guidelines**

1. No more than one rider will accompany an officer at a time and advance scheduling may have to be done to accommodate each request.
2. All riders shall be appropriately dressed in professional casual clothing. Shorts, shirts without collars, jogging or sweat suits, etc. shall not be acceptable. A shirt with a collar and casual pants are recommended for males, pants and blouse are suggested for females. If a rider is not appropriately dressed, the on-duty supervisor may cancel the ride-along approval.
3. The assigned officer shall instruct the rider on the procedures required while riding, which shall include:
  - a. Following directions of the officer.
  - b. Wearing a seatbelt.
  - c. Appearing in court as a witness, if necessary.
  - d. The rider may terminate the ride-along whenever he/she so desires.
4. Riders shall at all times remain under the complete control of the assigned officer and shall comply with all directions and requests.
5. Problems involving a civilian rider shall be brought to the attention of the on-duty Supervisor.

## **C. Limitations**

1. Riders shall not interfere with investigations in any way by conversing with victims, suspects, or witnesses, handling evidence or police equipment, or participating in any police activity unless directed to do so by the assigned officer. Riders shall access only those areas open to the public.
2. At no time is a rider permitted to carry any weapons during the ride-along. Regardless of a valid concealed carry permit, handgun and/or rifles are strictly prohibited. Anyone refusing to comply with this directive will not be permitted to participate in the program.
3. Non-Departmental owned electronic or other devices are not allowed in/on any police vehicles during a ride-along unless authorized by a Division or Bureau level supervisor. Prohibited devices include, but are not limited to, recording devices, tape players, televisions, radios, still or video cameras, etc.

4. Civilian riders are not permitted to use the police radio or any police equipment except in extreme emergency and as directed to do so.
5. Citizen's participation shall be limited to one ride-along per calendar year.
  - a. Members of Departmentally sanctioned programs such as the Citizen Police Alumni are limited to two shifts per year.
  - b. Members of Departmentally sanctioned academic programs such as the Bryan High School C. J. Academy shall be limited to the guidelines of the program.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 05-06.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Communicable Disease AIDS Hepatitis B	<b>CALEA</b>
<b>SUBJECT</b> Exposure to Communicable Disease		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Department policy and procedure concerning exposure to members to communicable diseases.

**II. DEFINITIONS**

**Communicable disease** – Those infectious illnesses that are transmitted through direct or indirect (including airborne) contact with an infected individual including, but not limited to, the body fluids of the infected individual.

**Acquired Immune Deficiency Syndrome (AIDS)** – An infectious disease cause by a Human Immunodeficiency Virus (HIV) which destroys certain white blood cells, thereby undermining the body’s immune system which normally combats infections and malignancies.

**Hepatitis B (HBV)** – A viral disease of the liver, transmitted through blood and blood products.

**Percutaneous exposure** – Refers to an exposure through the skin or mucous membrane.

**Occupational exposure** – Reasonable anticipated skin, eye, mucous membrane, or parenteral (piercing) contact with blood or other infectious materials that my result from the performance of an employee’s duties.

**Personal protective equipment** – Specialized clothing or equipment worn by an individual to protect him/her from a hazard including but not limited to: gloves, laboratory coats, face shields, masks, and mouthpiece.

**III. POLICY**

Police officers and other members of the Department may, from time to time, come into contact with persons who may be infected with a communicable disease through such law enforcement activities as body searches, arrests, assaults, handling of evidence, CPR, and body removal. Due to the nature of law enforcement, contacts with such persons are unavoidable. Members cannot neglect the performance of their duties because of the involvement of an infected person. It is the policy of this Department to provide members with education and training concerning the

transmission of communicable diseases and to develop procedures to minimize the risk of exposure.

#### **IV. PROCEDURES**

##### **A. Members**

1. Exercise caution and, whenever possible, wear disposable rubber gloves when doing any of the following:
  - a. Handling items which may contain contaminated blood or body fluid products (hypodermic needles, syringes, etc.)
  - b. Searching arrestees
  - c. Packaging and handling possibly contaminated items as evidence
  - d. Cleaning up blood or other secretions
2. Avoid placing fingers in anyone's mouth.
3. Thoroughly wash hands with warm water and soap upon removing gloves after handling potentially contaminated items or persons.
4. Thoroughly wash hands, other parts of the body, and soiled clothing which may have been contaminated with secretions or excretions.
5. If possible, use a pocket mask when administering CPR and wear disposable gloves and gowns when working in environments that are known to be contaminated with a communicable disease.
6. Seal contaminated or potentially contaminated evidence items in plastic containers or bags clearly marked "CONTAMINATED," using tape to seal the bag or container. Do NOT use staples.
7. Upon receiving a percutaneous exposure or other exposure to a communicable disease, notify a supervisor as quickly as possible and seek immediate medical attention. Any exposure resulting from blood to blood, blood to eyes, blood to mouth, or blood to mucous membranes should be seen by the City's physician within 24 hours.
8. If bitten by another person, immediately:
  - a. Notify a supervisor
  - b. Encourage the wound to bleed by applying pressure and milking the wound
  - c. Wash the area thoroughly with soap and water
  - d. Seek immediate medical attention.

##### **B. Supervisors**

1. Ensure that any arrested person who has bitten a Department member or is suspected of being a carrier of a communicable disease is asked to submit to a blood test.

2. Notify the Bureau Commander of any potential exposure by a member to a communicable disease.
3. If a person who bites a member refuses to submit to a blood test, advise the Bureau Commander of the refusal.
4. When a person with a known communicable disease is released from a Department detention facility or has been transported in a Department vehicle or had access to any Department facility, supervisors shall:
  - a. Ensure the vehicle involved is thoroughly cleaned prior to further use.
  - b. Ensure that custodial personnel are notified of the situation and request that any contaminated facility be cleaned with a 1:9 solution of household bleach.
5. Submit a written report of the exposure or potential exposure to the Bureau Commander.
6. Complete a Supervisor's Accident Report and forward to Risk Management via the chain of command for each exposure or potential exposure.
7. Advise the employee that any workers compensation claim in relation to an occupational exposure must be documented at the time of exposure by blood tests, in order to establish a baseline for future reference.

**C. Bureau Commander**

1. In cases where the person who is suspected of being a carrier of a communicable disease and exposing a member to the disease refuses to submit to a blood test, the Bureau Commander shall confer with the Chief of Police and/or City Attorney to determine legal procedures to compel the person to submit to the blood test.

**D. Property Clerk**

1. Maintain an adequate supply of disposable gloves, gowns, and pocket masks for use by Departmental personnel.
2. When handling contaminated property or evidence, wear disposable gloves and gowns.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 05-07.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Bomb Threats Explosive Devices	<b>CALEA</b> 46.1.5
<b>SUBJECT</b> Bomb Threats and Explosive Devices		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedures for the handling of bomb threats.

**II. POLICY**

Due to the potential severity of calls involving explosive devices or bomb threats, members of the Department shall handle all such situations with the assumption that the threat is real until steps have been taken to sufficiently determine otherwise.

**III. PROCEDURES (46.1.5)**

**A. Notification of the Threat**

1. The intake specialist or dispatcher who receives a bomb threat or notification of a bomb threat shall attempt to ascertain and make a record of as much of the following information as possible:
  - a. Exact time the notification is received
  - b. Exact words of the caller
  - c. When the explosive device will detonate
  - d. Where the explosive device is located
  - e. What type of device
  - f. What does the device look like
  - g. Why was the device planted
  - h. Description of the caller's voice
    - (1) Male or female
    - (2) Young or old
    - (3) Accent
    - (4) Emotional state
    - (5) Background noises
  - i. Exact time the caller terminates the call
  - j. Any other relevant information

2. The person making or reporting the bomb threat should be kept on the phone as long as possible so that additional information may be elicited as needed.
3. An officer will be dispatched to the scene.
4. The fire department will be notified and placed on standby status.

**B. Responding Officer Responsibilities**

1. Unless the nature of the threat dictates the need for an emergency response, officers dispatched to the scene of a bomb threat shall respond Code 2, as inconspicuously as possible.
2. Responding officers should not transmit on the radio within a two block area of the target location until it is determined safe to do so.
3. Upon arrival, the first officer on the scene should attempt to locate:
  - a. The person who is in control of the premises (e.g.: the owner, proprietor, manager, principal, resident, etc.).
  - b. The person(s) who received the initial threat or any subsequent threats, if they are present.
4. If the person(s) who received the threat are present, they should be interviewed in detail before proceeding further.
5. The first officer on the scene should make an assessment of the situation based on the known information about the threat, device, and target location.
6. Without using a radio at the target location, the officer will advise the patrol supervisor of the situation and the need for additional resources. The officer should use a telephone or leave the target location temporarily in order to relay this information by radio.
7. Depending on the circumstances, the first officer on the scene will either handle the incident himself/herself or will secure the scene until the arrival of additional manpower, according to the instructions of the supervisor.

**C. Patrol Supervisor Responsibilities**

1. A patrol supervisor should respond to the scene of a bomb threat, when possible. If an explosive device or suspected device is located, a supervisor shall respond in all cases to take charge of the scene.
2. Upon arrival, the supervisor should establish contact with the first officer on the scene and with the person in control of the premises.
3. Depending on the nature of the target location and the circumstances, the supervisor may need to establish a contact point or field command post to which any additional personnel will report. The field command post may be set up within the target location or at a

nearby location. The command post must be established in a location which provides a means of communication.

4. The supervisor will direct the response of additional resources, advising each responding unit to report to the command post or other appropriate location for instructions and assignment.
5. If a device or suspected device is located or if the building is evacuated, the officer-in-charge at the scene shall notify the Field Operations Bureau Commander.

#### **D. Evacuation Procedures**

1. Unless an explosive device or suspected device has been located, the decision to evacuate the building is the responsibility of the person in control of the threatened premises. If police advice is requested, the officer-in-charge shall recommend evacuation.
2. If a device or suspected device is located, the officer-in-charge will in all cases order immediate evacuation of the building.
3. If it is decided to evacuate, the evacuation order should be given verbally or by means of a portable public address system. The order should not be given by means of a fire alarm or other internal electrical system which could detonate the device.
4. Persons evacuated from the building should be advised to leave doors and windows open and unlocked to facilitate a search of the premises. Elevators should not be used.
5. A perimeter should be established to prevent reentry into the building.

#### **E. Search Procedures**

1. Before conducting a search of the threatened premises, consent should be obtained from the person in control of the premises.
2. If consent to search is refused, a supervisor should be called to the scene. The supervisor shall decide whether further police action will be taken.
3. Officers involved in the search should request the assistance of persons who normally occupy the building. These persons will be more familiar with the premises and better able to recognize strange objects, containers, etc. These persons should be used on a voluntary basis only and with the approval of the person in control of the premises.
4. The search should be conducted in an organized, systematic manner. The officer-in-charge should organize the search personnel into teams and assign specific search areas to each. The size of the search teams and assigned areas will depend on the nature of the target location and the manpower available. When using both police and civilian personnel, a search team should consist of both, if possible.
5. Search team members should be instructed not to touch any suspicious objects.
6. As each team completes its assignment, the area searched should be marked in some manner. The team should report to the command center for further instructions.



## **F. Locating a Device or Suspected Device**

1. If a suspected explosive device is located:
  - a. Do not touch or go near the object
  - b. Do not turn on or off the lights or use flashbulbs in the vicinity of the object.
  - c. Do not use any type of radio communications within the two block perimeter.
  - d. Evacuate all persons except the minimum number of police personnel necessary to secure the object, using available protection and from the greatest distance possible.
  - e. Open any doors and window in the immediate area.
2. If a supervisor is not already on-scene, a supervisor will be requested to respond. The Field Operations Bureau Commander and an investigator will be notified, also.
3. The Fire Department will be notified and requested to respond and standby outside the perimeter.
4. The Explosives Ordnance Disposal (E.O.D.) Unit at Fort Hood and/or the College Station Police Department Bomb Squad should be notified and provided as much information as possible about the object or device. Instructions from those agencies should be followed to the extent possible. *(46.1.5)*
5. The target area will be secured pending the arrival of the E.O.D. Unit.

## **G. Post Explosion Procedures**

1. If an explosion occurs or has occurred, the area should be treated as a crime scene and sealed off to avoid injury and minimize contamination of evidence.
2. The following persons or agencies should be notified:
  - a. Bryan Fire Department
  - b. Field Operations Bureau Commander
  - c. C.I.D. Commander or on call Investigator
  - d. Bureau of Alcohol, Tobacco, and Firearms
3. Responsibility for investigating actual bombing incidents will remain with the Department; however, such investigations will be conducted in conjunction with the local and state Fire Marshals and the Bureau of Alcohol, Tobacco, and Firearms. Any decision to relinquish responsibility for the investigation will be made by the Chief of Police.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 05-08.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Hazardous Materials	<b>CALEA</b>
<b>SUBJECT</b> Hazardous Materials		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the response to incidents involving hazardous materials.

**II. DEFINITIONS**

**Hazardous Material** – Any element, compound, or combination thereof that is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, an etiological agent, or highly reactive and that because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.

**III. POLICY**

In the event of an incident or accident involving any type of hazardous material, the Department will cooperate fully with local, state, federal, and private agencies which have responsibilities in the handling of such incidents.

The primary responsibility of this Department in responding to hazardous materials problems are: Evacuation of affected areas; Traffic control and area cordon.

**IV. PROCEDURES**

**A. Notification Procedures**

1. The first officer on the scene of any incident that may involve hazardous materials shall:
  - a. Rescue those persons in the hazard area, avoiding physical contact with the suspected substance;
  - b. Relay information from the scene to the Communications Center, including:
    - (1) Description of the hazard
    - (2) Exact location

2. The 911 Communications Center shall notify the:
  - a. Fire Chief / Fire Department
  - b. Patrol Supervisor
  - c. Bureau Commander
  - d. Texas Department of Public Safety
  - e. City of Bryan Emergency Management Coordinator
  - f. Brazos County Emergency Management Coordinator
  - g. Other officials and agencies as directed by proper authority

**B. Security Procedures**

**1. Location Security**

- a. Security of the area surrounding the scene of any incident involving hazardous materials is the responsibility of the police department.
- b. Scene security involves controlling access into the hazardous area by vehicular and pedestrian traffic.
- c. Each scene must be evaluated to determine the degree of security required.

**2. Officer Security**

- a. At any incident involving suspected hazardous materials, officers should stay upwind and out of low lying areas where vapors can concentrate.
- b. Do not walk into, wade through, or touch any spilled materials.
- c. Do not attempt an impossible or extremely dangerous rescue without proper assistance and/or equipment.
- d. Avoid inhalation of all gases, fumes, and smoke.
- e. Avoid the use of flares with might ignite combustible gases. Traffic cones and barricades should be used instead, when available.

**3. Evacuation Procedures**

- a. The need to evacuate an area due to an incident involving hazardous materials will be determined by the ranking fire department official on the scene.
- b. Actual evacuation of the area shall be the responsibility of the police department.
- c. Evacuation may be accomplished by one or more of the following means:

- (1) House to house notification
- (2) Mobile siren alerting
- (3) Radio and television broadcasts

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 12, 1990	<b>NUMBER</b> 05-09.1
<b>CATEGORY</b> Operations Support	<b>INDEXED AS</b> Support Services Line-of-Duty Death	<b>CALEA</b>
<b>SUBJECT</b> Line-of-Duty Injury or Death		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the provision of support services to the immediate survivors of a member who is seriously injured or dies from injuries sustained in the line-of-duty.

**II. DEFINITIONS**

**Line-of-duty injury / death** – any injury or death resulting from injury sustained by an active member of the Department while the member was acting in an official capacity as a member of the Department, whether on or off duty.

**Survivors** – Immediate family members of the deceased member, including: spouse, children, parents, siblings, fiancée, and/or significant others.

**Beneficiary** – Those designated by the member as recipients of specific death benefits.

**Benefits** – Financial payments made to the family of the deceased member to insure financial stability following the death.

**III. POLICY**

It is the policy of this Department to provide support and liaison assistance to the immediate survivors of an officer or other member of the Department who is seriously injured or dies in the line-on-duty.

**IV. PROCEDURES**

**A. Notification**

1. The name of a seriously injured or deceased member shall not be released to the news media before immediate survivors have been notified.
2. Notification shall always be made in person. The officer making the notification should be accompanied by a chaplain, and/or a high-ranking official of the Department.

3. If it is known that an immediate survivor suffers from a medical problem, medical personnel should also accompany the officer making the notification.
4. If these persons are not readily accessible, the notification should not be unnecessarily delayed.
5. If there is time to transport the family to the hospital prior to the death of the member, notification shall be made immediately.
6. The officer making the death notification should ask to be admitted to the survivor's home. Death notifications should not be made on the doorstep.
7. If the family wishes to go to the hospital or other location, they should be transported via police vehicle. The family should be discouraged from driving themselves.
8. If there are children which will need to be cared for, the Department shall arrange for immediate child care needs, utilizing the assistance of neighbors, co-workers' spouses, and/or other available source.
9. The officer transporting the family should take care that the family is not exposed to radio traffic concerning the incident which may be disturbing.
10. Notification of immediate survivors who live out of town shall be arranged through the law enforcement agency in that area.

**B. Assistance at the Hospital**

1. The ranking officer at the hospital or his designee shall provide the following services to the family upon their arrival at the hospital:
  - a. Make arrangements for appropriate waiting facilities for the family and separate facilities for fellow members of the Department.
  - b. Update the family on the incident.
  - c. Ensure that the family is updated on the condition of the injured member.
  - d. Arrange for whatever assistance the family needs.
  - e. Arrange for transportation home.
  - f. Arrange to have all medical bills relating to the services rendered to the injured or deceased officer to be sent to the appropriate office for payment.

**C. Funeral Assistance**

1. Upon the death of the member, the Chief of Police or his designee shall appoint a liaison officer to assist the family in making funeral arrangements. The role of the liaison officer is to:
  - a. Meet with the family to inform them of his responsibilities.
  - b. Ensure that the needs of the family come before the wishes of the Department.
  - c. Meet with the family regarding funeral arrangements.
  - d. Answer family questions concerning the death and on-going investigation.
  - e. Assist in travel and lodging assistance for out-of-town survivors.

- f. Provide liaison between the family and the police association, support organization, and other groups wishing to assist the family.
- g. Brief the family on protocol in the event they wish to have a “police funeral.”

**D. Media Liaison**

1. The media relations officer shall have the responsibility of handling the needs and requests of the news media during and following a line-of-duty death.
2. Any requests for interviews with the family shall be screened through the media relations officer unless the family requests otherwise.
3. In the event that the family should agree to an interview with the news media, the media relations officer should screen all questions presented to the family so that future legal proceedings will not be jeopardized.

**E. Post-Funeral Support and Assistance**

1. Patrol supervisors shall ensure routine drive-bys of the survivor’s residence for several weeks following the death or for as long as necessary if specific problems exist.
2. A “benefits coordinator” shall be appointed by the Chief of Police or his designee to gather information on all benefits available to the survivors. The benefits coordinator shall visit with the surviving family to discuss benefits within a few days following the funeral.
3. A listing of the benefits the survivors are entitled to should be given to the family along with an explanation of the benefits and an estimate of the time it should take to receive the benefit. The benefits coordinator shall assist the family in filing appropriate paperwork and following through with the family to ensure that benefits are received in a timely manner.
4. The Crime Victims Liaison Officer shall assist the family in filing for benefits provided for in the Crime Victims Compensation Act.
5. The Department shall keep the family informed of any developments in the investigation and prosecution of any persons involved in the death of the member.
6. Long term support for the family shall include:
  - a. Periodic phone calls to check on the welfare of all survivors.
  - b. Invitations to Departmental activities.
  - c. Updates on any legal proceedings arising from the death.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-01.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Traffic Enforcement Traffic Violations Multiple Violations	<b>CALEA</b> <a href="#">61.1.2b</a> <a href="#">61.1.2c</a> <a href="#">61.1.3</a> <a href="#">61.1.5</a> <a href="#">61.1.6</a>
<b>SUBJECT</b> Traffic Enforcement		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to provide guidelines for officer discretion in enforcing traffic laws and regulations, procedures for traffic violator contact and guidelines for issuance of citations.

**II. DEFINITIONS**

**Term** – The term should be bolded and underlined. The definition should be in plain text. If there are no definitions to be included in this General Order, continue with the Procedures for III (formatting explained in IV below).

**Traffic Law Enforcement** – Law enforcement as it applies to statutes, ordinances, and legally authorized regulations relating to the use of streets and highways and ownership and operation of motor vehicles and other road vehicles.

**Traffic Law Violation** – Violation of any statute, ordinance, or legally authorized regulation relating to the use of streets and highways or the operation and ownership of motor vehicles and other road vehicles.

**Physical Arrest** – Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court or requiring the posting of a cash bond.

**Citation** – Any enforcement action that involves a written notice to the accused to appear and that contemplates trial adjudication or disposition to determine the guilt or innocence of the person charged with a violation.

**Verbal Warning** – A warning given orally without any written record.

**Non-Resident** – Any person living outside the state of Texas.

**Juvenile** – A person age 10 and above but under 17 years of age.

### **III. POLICY**

Traffic laws will be enforced in a consistent and uniform manner at a level sufficient to ensure the safe and expeditious movement of traffic. Officers will observe, detect and prevent violations of traffic laws. The constitutional rights and privileges of all people will be observed and respected by officers in the enforcement of traffic laws. All enforcement actions will be accomplished in a firm, fair, impartial, and courteous manner. Officers will demonstrate a professional attitude that serves to improve the relationship between the public and the department.

### **IV. PROCEDURES**

#### **A. Enforcement Objectives and Tactics**

1. Objectives: In contacting traffic violators, officers should be aware that while the immediate objective is to take appropriate action, the ultimate objective is to favorably alter the violator's future driving habits.
2. Tactics: Officers will present a professional image in language and demeanor while being alert for the unexpected. Officers will use tactics approved and taught through the Training Unit in making contact with the violator. This may involve one or more of the following types of traffic patrol: *(61.1.6a,b)*
  - a. Line Patrol: Moving patrol between two specific points on a given roadway.
  - b. Area patrol: Moving patrol within a defined area.
  - c. Directed: Moving or non-moving patrol of a specific location.
  - d. Stationary: Covert and/or overt traffic observation from a fixed location.
3. Officers shall not conduct roadside safety checks unless they have received training as Commercial Vehicle Safety Specialists and are certified by the Federal Highway Administration. *(61.1.6d)*
4. In addition to visual observation of traffic violations, officers certified to use mechanical devices to monitor speed, such as radar or laser, may utilize mechanical devices to document and corroborate a traffic charge. Such devices include:
  - a. Certified speedometers
  - b. Radar/laser speed measuring instruments

#### **B. Enforcement Dispositions and Alternatives**

1. When a new law, ordinance, or traffic control device, violators may be given a 30 day grace period to run from the date of enactment. During this time, violators will be stopped and informed of the law, ordinance, or device. If the violation endangers other vehicular or pedestrian traffic and the violator could reasonably be expected to know the act was a violation, the grace period may be waived and a citation issued. *(61.1.5j)*



2. Use of Warnings: An officer may issue a warning when: *(61.1.2c)*
  - a. The officer has confirmed that the violator has a valid driver's license in effect, even though that license may not be in the violator's physical possession at the time of the violation.
  - b. In the officer's opinion, the violation is apparently unintentional and non-hazardous in nature.
  - c. Conditions indicate the department's ultimate goal is achieved as effectively as if a citation were issued.
  
3. Enforcement action should be taken against all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. Violations of this nature should be considered for formal enforcement action and include:
  - a. Reckless driving.
  - b. Speeding violations in excess of the posted speed limit. *(61.1.5.c)*
  - c. Serious violations arising out of operation of a commercial motor vehicle. *(61.1.5g)*
  - d. Traffic collisions. *(61.1.5k)*
  - e. Other hazardous violations. *(61.1.5d)*
  
4. Less formal enforcement action may be considered when dealing with violations of the following nature:
  - a. Equipment violations. *(61.1.5.f)*
  - b. Non-hazardous violations whether moving or non-moving. *(61.1.5.h)*
  - c. Less severe multiple violations. *(61.1.5.i)*
  - d. Operating off road vehicles. *(61.1.5.e)*
  - e. Pedestrians or bicyclists that violate traffic laws. *(61.1.5l)*
  
5. Citations and Field Releases –The following will apply to all violators: *(61.1.2b)*
  - a. Regardless of the state of residency, if the violator can be identified a citation should be written instead of physical arrest. *(61.1.3a)*
  - b. For issuance of a citation, it is not necessary that the violator display a driver's license if the officer can otherwise confirm that the operator has been issued a valid driver's license. If no license is displayed, a citation for Failure to Display may be issued.
  - c. If the violator refuses to sign the citation, and the officer has no reasonable concerns that the violator will appear at Municipal Court, the officer may write "Refused" on the violator signature line, give the violator their copy and allow the violator to leave.
  - d. Multiple Citations: It is recommended that officers do not issue more than three citations to one violator, unless safety issues are raised. Excessive citations could negatively impact the department's overall goal of voluntary compliance. *(61.1.5i)*
  
6. Mobile Video Taping: Each traffic and pedestrian stop capable of being recorded will be recorded. Refer to General Order 08-10 (Mobile Video and Audio Tape Management) for disposition of tapes.

7. Data Collection: Data will be collected from each traffic and pedestrian stop made in order to comply with General Order 04-29 (Biased Based Profiling).

### C. Special Circumstances

#### 1. Juveniles *(61.1.3b)*

- a. Juvenile traffic offenders shall be handled in the same manner as an adult traffic offender except that if a citation is issued to a juvenile, the officer shall inform the juvenile that a parent or guardian must accompany the juvenile when he/she appears before the court to dispose of the citation. Refer to General Order 04-37 (Juvenile Procedures).

#### 2. Military Personnel *(61.1.3e)*

- a. Military personnel apprehended for traffic violations shall be handled in the same manner as resident violators.

#### 3. Legislative Immunity *(61.1.3c)*

- a. Members of the United States Congress may not be detained for the issuance of a traffic violation citation while they are in transit to or from the Congress of the United States.
- b. Senators and Representatives of the Texas Legislature shall, except in cases of treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same.
- c. If a traffic violator properly identifies himself/herself as a member of the U.S. Congress or the Texas Legislature and declares immunity, the officer shall identify and immediately release the violator. If necessary, the officer may make arrangements to deliver a citation to the violator at a time when he/she is not immune from such action.

#### 4. Diplomatic Immunity *(61.1.3d)*

- a. Diplomatic immunity is granted by the United States Government under provisions of the Vienna Convention on Diplomatic Relations. Generally, these provisions apply to two classes of immunity:
  - (1) Diplomats and members of their families enjoy full immunity.
  - (2) Employees of diplomatic missions and members of their families enjoy immunity with respect to acts performed in the course of their official duties.
- b. While the burden is upon the diplomat to claim immunity through the presentation of valid credentials, diplomatic status may also be verified through the U.S. Department of State.
- c. If a person with diplomatic immunity is stopped for a traffic violation, he/she should be immediately released.
- d. If a person with diplomatic immunity is stopped while under the influence of alcohol or drugs, the officer shall employ one of the following options:

- (1) Take the diplomat to the Police Department or another suitable location where he/she can recover sufficiently to be released to drive safely.
  - (2) Take the diplomat to a telephone so he/she can phone a relative, friend, or taxi.
  - (3) Call a taxi or arrange other suitable transportation for the diplomat.
- e. Unless a person with diplomatic immunity is considered a danger to himself or others, he/she should not be physically restrained or subjected to sobriety tests.
  - f. Any contact involving a person with diplomatic immunity shall immediately be reported to a supervisor who shall advise the Bureau Commander. Serious incidents involving diplomatic and consular officers and their families shall be reported to the U.S. Department of State, Office of Protocol.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 13, 2005	<b>NUMBER</b> 06-02.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Traffic Stop Procedure Violator Contacts	<b>CALEA</b> <a href="#">61.1.6c</a> <a href="#">61.1.7</a> <a href="#">61.1.8</a>
<b>SUBJECT</b> Traffic Stops		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure for conducting traffic stops.

**II. POLICY**

Every contact between a police officer and traffic violator is accompanied by the potential for violence and injury to the officer. There is no such thing as a “routine traffic stop.” Officers shall conduct traffic stops with the safety of all persons, including the officer, in mind.

**III. PROCEDURES**

**A. Probable Cause**

1. Traffic stops will be made only when the officer has probable cause to believe the driver or an occupant in the vehicle has committed a violation of law or for other legitimate police purposes.

**B. Planning the Stop ([61.1.7](#))**

1. Officers shall plan a traffic stop so the violator is most likely to stop in a suitable location where normal flow of traffic will not be impeded. The use of side streets is encouraged.
2. Private driveways and entrances to business parking lots should be avoided if possible. In the event the violator stops on private property, all possible care shall be taken to avoid inconvenience to the property owner and patrons.

**C. Signaling the Stop ([61.1.7](#))**

1. Normally, a violator will be signaled to stop by the officer following behind the violator at a reasonable distance and using emergency warning lights. If a violator does not see or acknowledge the officer within a short distance, the officer should tap the horn and/or flash headlights to gain the violator’s attention.
2. If the violator continues to ignore or fails to acknowledge the officer’s intentions, the officer should shine a spotlight (during darkness) into the violator’s vehicle and /or may “tap” the siren to alert the violator to stop. The siren shall be used in a manner which will not startle the violator. Spotlights shall never be directed toward on-coming traffic or into the rear-view mirror of the violator.

3. Officers may use the public address system to direct the violator to a suitable location when appropriate.
4. If the violator intentionally refuses to stop after a reasonable distance or displays an intent to elude the officer, the officer shall follow the procedures for conducting a pursuit established in General Order 04-04 (Emergency Operations and Pursuit) .
5. The officer is responsible for ensuring that no traffic hazard is created by the manner and location in which the violator is stopped.
  - a. Traffic lanes should be kept clear.
  - b. Emergency warning lights should be left on during the traffic stop, except when the vehicle is stopped off the roadway.

**D. Notifying Communications (61.1.7)**

1. When a decision to stop a violator is made, the officer shall notify the communications center of the following information (in this order):
  - a. Unit call number
  - b. Location of the stop
  - c. Vehicle license number and/or vehicle description

**E. Positioning the Patrol Car (61.1.7)**

1. Once a violator has come to a complete stop in a safe location, the officer should position the patrol car 10-15 feet behind and offset 3-5 feet to the left of the violator's vehicle when possible to do so.
2. After dark, the officer may illuminate the interior of the violator's vehicle with a spotlight.

**F. Approaching the Violator (61.1.7)**

1. Officers should approach a violator's vehicle with caution, watching for suspicious or sudden movements by the driver or any occupants.
2. If only one officer is present, the violator should be approached from the left rear. While approaching the vehicle, the officer should make sure the trunk is closed, and there are no unseen occupants inside the car.
3. If two officers are present, the second officer should approach the vehicle from the right rear.
4. The officer making contact with the violator should stop behind the driver's door, with his/her weapon side away from the violator.
5. If the driver exits the vehicle, the officer should direct him/her to the curb side of the roadway away from traffic. Any other occupant who exits the vehicle should be directed to get back into the car while the officer is contacting the driver.

6. Officers shall not stand between the patrol car and the violator's vehicle and shall not allow others to do so.

**G. Violator Contact (61.1.8)**

1. Officers shall greet the violator in a courteous manner, identifying him/herself as a member of the Bryan Police Department.
2. The violator shall be informed of the reason for the stop and requested to display a driver license and proof of insurance.
3. If the driver offers a reason for committing the violation or wishes to explain his/her actions, the officer shall politely listen to the violator's explanation, clarifying the details as necessary.
4. The officer shall inform the violator what, if any, enforcement action will be taken and will step to the curbside of the roadway to complete the paperwork.
5. If the violator requests to see a radar reading, the officer shall allow him/her to view the radar readout from the safest possible vantage point.
6. While completing the necessary paperwork, the officer should maintain periodic eye contact with the violator and occupants of the vehicle alert for any suspicious or sudden movements.
7. If the violator has exited the vehicle, the officer shall maintain an adequate distance between himself and the violator with his/her weapon side away from the violator.
8. Officers shall never enter a violator's vehicle to complete the citation and should avoid allowing the violator to sit in the patrol car.
9. During a violator contact, officers shall maintain a professional, courteous demeanor. Officers shall not place their foot on the bumper of the violator's vehicle or the patrol car.
10. The officer should conduct appropriate warrant and license checks prior to releasing the violator.
11. The traffic stop should be completed and terminated as quickly as possible, without unnecessary delay.

**H. Terminating the Stop (61.1.7)**

1. Upon completion of the traffic stop, the officer shall remain behind the violator long enough to allow the violator to reenter the flow of traffic and leave the scene. Officers should not follow behind a released violator any longer than necessary unless there is a reason to do so.
2. Officers shall take any necessary actions to assist the violator in reentering the flow of traffic.

3. Officers will provide required demographic tracking information listed in General Order 04-29 (Biased Based Profiling) to Dispatch upon conclusion of the stop. The information will be entered as disposition codes permanently affixed to the CAD record of the stop.
    - a. Officers with mobile data terminals shall enter the demographic tracking data on the Demographic Tracking Screen.
    - b. Officers without mobile data terminals shall provide the demographic tracking data to Dispatch via radio in single digit numerical codes.
- I. Unmarked Vehicles / Plainclothes Officers (61.1.6c)**
1. Officers in plainclothes, operating unmarked vehicles, shall not make traffic stops unless the actions of the violator are a clear danger to pedestrian and/or vehicular traffic. When possible, plainclothes officers shall obtain the assistance of a uniformed officer in a marked unit to effect the stop.
  2. Plainclothes officers operating unmarked police vehicles may stop another vehicle for investigative purposes providing the stop is justified, reasonable, and legally defensible. When possible, plainclothes officers shall obtain the assistance of a uniformed officer in a marked unit to effect the stop.
  3. Officers operating unmarked vehicles shall not become engaged in a vehicular pursuit.
  4. Off-duty officers in their personal cars shall not make traffic stops unless the violation observed is of a continuing life threatening nature and then only if maneuvers necessary to stop the violator can be made in a safe manner as not to endanger other persons.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> May 13, 2005	<b>NUMBER</b> 06-03.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Citation Citation Information Traffic Citations Warning	<b>CALEA</b> <a href="#">61.1.4</a> <a href="#">82.2.3</a> <a href="#">82.3.4</a>
<b>SUBJECT</b> Traffic Citations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedures governing accountability and processing of traffic citations, traffic arrest reports, and other supplemental reports relating to traffic enforcement.

**II. DEFINITIONS**

**Citation** – An enforcement action that involves a written notice to the accused to appear and that contemplates trial adjudication or disposition to determine the guilt or innocence of the person charged with a violation.

**Warning** – An enforcement action that involves a written notice to the accused, but is not a charging document and does not require a signature or appearance.

**III. POLICY**

It is the policy of the Bryan Police Department that an accurate, efficient reporting and accountability of traffic citation issuance within the department's jurisdiction be maintained.

**IV. PROCEDURES**

- A.** Citation form - The traffic citation form is a sequentially numbered, carbonless form consisting of four color-coded copies. The copies are designated for disposition as follows:
  - 1. White: Court’s Copy
  - 2. White: Court Clerk’s Copy
  - 3. Yellow: Texas Department of Public Safety’s Copy
  - 4. Pink: Violator’s Copy – contains written instructions on reverse side of form with options for disposal of the citation and contact information for Bryan Municipal Court. *(61.1.4a-d)*
- B.** Accountability
  - 1. Inventory and Issue



- a. Bulk supplies of citation books shall be maintained by the Property and Evidence Section in a secure area. An inventory of citation books shall be maintained with the bulk supply of citation books. *(82.3.4c)*
- b. A useable supply of citation books shall be maintained in a designated area of the Field Operations Bureau for issuance by Police Supervisors. Police supervisors shall ensure that a citation log book is maintained with the citation books. The citation log book shall be used to record the issuance of each citation book.
- c. Officers shall sign for receipt of individual citation books from Police Supervisors. The following information shall be logged in the citation log book: *(82.3.4a)*
  - (1) Issue date
  - (2) Receiving officer's name
  - (3) Beginning and ending citation numbers
  - (4) Officer's initials or signature
- d. Employees are responsible for all citations contained within the citation book issued to them and are not relieved of their responsibility until the citation book is turned in to their immediate supervisor for disposition.
- e. Ticket books shall be issued in the proper sequential number order.
- f. Officers shall issue tickets in sequential order, from lowest to highest. Due to audit purposes, an officer shall not issue tickets from a book not assigned to them. *(82.2.3)*
- g. Employees leaving the Department or transferring to an assignment where citations will not be used will forward any remaining citations in their possession to their immediate supervisor. Supervisors will ensure the citation book log is updated with the disposition of the remaining citations. These citations may then be reissued.
- h. Each month, the Traffic Safety Unit sergeant will conduct an audit of citations issued by officers to insure all citation numbers are accounted for. If citations are missing or show out of sequence for those issued to an officer, the TSU sergeant shall provide an officer's supervisor with a list of missing citation number(s). *(82.3.4b)*
- i. A supervisor provided with missing citation number(s) for an officer shall investigate to determine why the citation is missing.
- j. If the missing citation is not located or accounted for, the supervisor will make a report through the chain of the command indicating the results of the investigation.

## 2. Lost / Stolen Citation Forms

- a. Employees shall notify their supervisor, by written memorandum, of any lost or stolen citations or citation books. The memorandum shall include the details concerning the loss as well as all citation numbers involved. The supervisor receiving the memorandum shall forward the memorandum through the chain of command for review. The memorandum shall be maintained in the Field Operations Bureau by the Traffic Safety Unit sergeant. A copy of the memorandum shall be maintained by the Property and Evidence Section.

## 3. Voided Citations

- a. Citations which are voided shall not be destroyed.
- b. To void a citation, officers shall write "VOID" in large letters across the face of the citation. All copies of the citation must be turned in to Municipal Court.
- c. A citation may not be voided unless all copies are in the possession of the officer.

**4. Amended and Dismissed Citations**

- a.** In the event an officer needs to amend or dismiss a citation which has already been submitted to the Municipal Court, the officer shall prepare a written memorandum explaining the requested amendment or reason for the request for dismissal.
- b.** The officer's request shall be submitted to his/her immediate supervisor for review and approval.
- c.** The supervisor shall submit an approved request to the Municipal Court.

**C. Citation Form Processing (General)**

- 1.** When a citation is issued to a traffic violator, the officer shall request the violator to sign the citation as an agreement to dispose of the citation within 10 working days by contacting the Municipal Court. *(61.1.4b)*
- 2.** If the violator refuses to sign the citation, the procedures outlined in General Order 06-01 (Traffic Enforcement) will be followed.
- 3.** The pink copy of the citation shall be given to the violator along with any pertinent instructions regarding disposal of the charge. *(61.1.4a-d)*
- 4.** The remaining copies of the citation shall be submitted by the end of shift for supervisory review and approval. All citations issued during a shift shall be turned in prior to an officer going off-duty.
- 5.** When a physical arrest is made for a traffic violation, officers shall complete the citation but the violator will not sign the citation. The entire citation will be attached to the arrest report and submitted for supervisory review. The approving supervisor will attach the entire citation to the appropriate copy of the arrest report and any supplemental reports concerning the arrest. The citation and accompanying paperwork will be forwarded to the Municipal Court.
- 6.** When completing a citation, officers shall use a pen with black ink to neatly print the necessary information.
- 7.** Every block and section of the citation will be completed. A dash will be entered in spaces in which the information is not readily available

**D. Citation Form Processing (Warning)**

- 1.** When completing a citation form as a warning, the signature block should be struck through to avoid confusion for the citizen indicating the contact is a warning and not a charging document. The citation form shall also be designated as a warning by checking the appropriate block indicating that the form is a Warning and no action is required.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-04.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Radar Lidar	<b>CALEA</b> <a href="#">61.1.9b</a> <a href="#">61.1.9f</a>
<b>SUBJECT</b> RADAR and LIDAR Operation		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the use of radar and lidar for traffic law enforcement purposes.

**II. DEFINITIONS**

**Radar** – A speed measuring device which uses a transmitted radio signal and functions by what is known as the “Doppler effect” to determine the speed of a moving vehicle.

**Lidar** – A light detection and ranging instrument using an infrared laser to measure distance and speed of a moving vehicle.

**III. POLICY**

Radar and lidar speed enforcement efforts are designed to deter speeding on public roadways, a basic cause of many traffic accidents, injuries, and fatalities. The long-range goal of radar/lidar use is to increase the level of voluntary compliance with posted speed limits. It is the policy of the Bryan Police Department to utilize radar/lidar for general speed surveillance, surveillance of locations where speed is a contributing factor to a high accident rate, follow-up to citizen complaints concerning speed violations, and surveillance of special locations that warrant radar/lidar monitoring the speed.

**IV. RULE**

Prior to engaging in speed enforcement activities by use of radar/lidar equipment, all officers shall complete a course of instruction approved by the Department which certifies the officer as being proficient in the use of such radar/lidar equipment. [\(61.1.9f\)](#)

**V. RADAR AND LIDAR REGULATIONS [\(61.1.9b\)](#)**

- A.** The radar/lidar unit must be properly installed and connected to the appropriate power supply.
- B.** The effective range of the radar/lidar unit must be understood by the operator so visual observations can support the speed meter readings.

- C.** The operator must choose an appropriate location in accordance with instructions from supervisory and command personnel relative to traffic accident experience in which speed has been identified as a factor. The location must also be conducive to the effective and safe operation of radar/lidar.
- D.** The radar/lidar unit shall be properly functionally tested to ensure accuracy in checking speed. Prior to use at each location, functional testing procedures shall be performed. The radar/lidar manufacturer's recommended functional testing procedures shall be followed.
- E.** The lidar unit shall have an internal and external distance functional testing check performed at the Police Department before use in the field for speed enforcement.
- F.** A radar functional testing check will be made upon arrival at the selected location and subsequently before departure from any location or anytime the police vehicle is moved from the original point of functional testing check. When operating at a location for an extended amount of time, officers shall functionally test the radar periodically.
- G.** The officer must be able to establish the following elements in court to support a charge of speeding based on radar/lidar:
  - 1.** Date, time, and location of the vehicle at the time of the violation
  - 2.** Identity of the driver
  - 3.** Description of the vehicle
  - 4.** Speed of the vehicle
  - 5.** Visual observation of the vehicle at the time of the violation
  - 6.** Location of the radar/lidar device
  - 7.** Operators qualifications and training in radar/lidar operation
  - 8.** Proper operation of the radar/lidar
  - 9.** Functional testing of the radar prior to and after the violation
  - 10.** Functional testing of the lidar prior to the violation

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-05.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> DWI Enforcement Drunk Drivers Intoxicated Driver	<b>CALEA</b> <a href="#">41.3.8</a> <a href="#">61.1.5a</a> <a href="#">61.1.11</a>
<b>SUBJECT</b> DWI Enforcement	Breath Tests Blood Test Urine Test	
<b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i>	Video Recording DWI Task Force	

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the enforcement of alcohol related traffic violations, specifically Driving While Intoxicated (DWI).

**II. POLICY**

Alcohol is believed to be a causative factor in a substantial percentage of traffic accidents, resulting in thousands of injuries and deaths and enormous sums of property damage annually. It is the policy of the Bryan Police Department to aggressively and proactively enforce alcohol related traffic laws and regulations in an effort to reduce the number of accidents caused by the drinking or intoxicated driver.

**III. PROCEDURES *(61.1.5a)(61.1.11)***

**A. Detection of the Intoxicated Driver**

1. It is the arresting officer's responsibility to document the evidence necessary to substantiate an arrest, prosecution, and conviction of a person accused of driving while intoxicated. The gathering of evidence begins with the first information about or observation of the suspect vehicle and continues until the suspect is incarcerated.
2. Detection of the driver who has been drinking or using drugs and is possibly intoxicated is usually initiated in one of the following manners:
  - a. Direct observation by the officer;
  - b. Information from another source, reporting a drunken driver;
  - c. As a result of a traffic accident investigation;
  - d. As a result of stopping a violator for an infraction of a traffic law or other reason.
3. The officer must mentally record the abnormal or unusual actions of the driver which cause the officer to suspect the driver is intoxicated. These actions as well as other pertinent information will constitute the probable cause necessary to justify an arrest.
4. Officers observing a vehicle being operated in a manner which would raise a doubt about the driver's sobriety should stop the vehicle to determine the cause of the erratic

behavior. Examples of deviations from normal driving which may alert an officer include, but are not limited to:

- a.** Unreasonable speed (too fast or too slow) for the existing conditions
- b.** Weaving within or out of the lane of travel; sharp, jerky movements in correcting direction of travel
- c.** Erratic changes in speed
- d.** Frequent lane changes
- e.** Improper passing; cutting into traffic; over controlling
- f.** Disregarding or overshooting traffic signals and signs
- g.** Driving at night without lights or with parking lights only
- h.** Failure to dim headlights when approaching vehicles
- i.** Unnecessary use of turn indicators
- j.** Erratic starting and stopping movements
- k.** Hugging the shoulder or driving too close to curbs or center stripes
- l.** Driving with windows rolled down in cold weather
- m.** Driving with head out of the window

## **B.** Stopping The Suspected Intoxicated Driver

- 1.** Once a driver is suspected of being under the influence of intoxicants, every reasonable effort should be made to stop and remove the suspect from the highway immediately.
- 2.** The officer must be able to cite probable cause for his/her suspicion, however, it is not necessary to observe the suspect for a lengthy period of time or distance. To allow the suspect to proceed for this purpose might result in a preventable accident.

## **C.** Apprehension

- 1.** The evidence gathering process continues while the suspect is being apprehended.
- 2.** Officers should mentally note for later report writing purposes any of the following:
  - a.** An unusually fast or slow compliance to the officer's signal to stop
  - b.** Disregard for the officers signal to stop
  - c.** An attempt to elude the officer.
  - d.** Unusual activity or furtive movements by the driver or occupants of the vehicle.
  - e.** An attempt to change drivers.
  - f.** An attempt to dispose of alcoholic beverage containers, narcotics, or paraphernalia.
- 3.** The officer should be alert for signs of the influence of intoxicants, even though the driver's actions may not have caused such a suspicion. The following symptoms may indicate intoxication:
  - a.** The odor of intoxicants on the suspect's breath or within the car.
  - b.** Attitudes reflecting alcohol influence:
    - (1)** Nervousness
    - (2)** Cockiness

**(3)** Unusual cheerfulness

**(4)** Belligerence

- c.** The appearance associated with a lack of sleep.
- d.** Poor hand/finger coordination in removing a driver license from a wallet.
- e.** Poor enunciation and slurred speech.
- f.** Difficulty understanding simple questions and instructions.
- g.** Difficulty focusing eyes or refusal to look directly at the officer.
- h.** Difficulty maintaining balance while walking, standing, turning, etc.

**4.** The officer should make a mental note for subsequent reporting purposes of any voluntary, unsolicited, res gestae statements made by suspect before, during, or after the arrest.

**5.** One or more field sobriety tests should be administered to further support the probable cause for the stop and subsequent arrest. Field Sobriety tests may include, but are not limited to the following:

- a.** Horizontal Gaze Nystagmus (HGN).
- b.** Nine Step Walk and Turn
- c.** One Leg Stand

**6.** Field sobriety tests shall be conducted off the roadway in a location where both the officer and the suspect are not exposed to traffic or other potential danger. If the location of the stop is not safe for the conducting of field sobriety tests, the suspect should be transported to a safer location for that purpose, if necessary.

**7.** A DWI suspect cannot be forced to cooperate with field sobriety tests. Such refusal should be noted in the DWI case report if an arrest is made.

#### **D.** Arrest Procedure

**1.** If the officer determines that probable cause exists to believe the driver is intoxicated, the driver shall be arrested unless unusual circumstances exist which justify an alternative action on the part of the officer.

**2.** Incident to taking the driver into custody, the officer shall read the suspect a Miranda and DWI warning.

#### **E.** Chemical Testing for Blood Alcohol Content

**1.** Every person arrested for Driving While Intoxicated shall be requested to submit to a chemical test(s) to determine alcohol concentration or the presence of a controlled substance or drug in his/her body.

**2.** Except as provided in section III. E. 9. of this directive, if a person under arrest for Driving While Intoxicated refuses to submit to a chemical test upon the request of an officer, no test shall be conducted.

3. Chemical tests to determine alcohol content and/or presence of a controlled substance or drug include:
  - a. Breath analysis
  - b. Blood analysis
  - c. Urine analysis
4. Normally, a person arrested for DWI shall be requested to submit to either a breath test or blood analysis.
5. If a DWI suspect agrees to submit to a blood analysis, the officer shall transport the suspect to a designated medical facility for the purpose of submitting a specimen. Any costs associated with this procedure will be paid by the County Attorney's Office.
6. If a DWI suspect submits to a breath test which indicated the suspect's blood alcohol level is above the legal limit and the suspect then requests a blood test, the officer shall transport the suspect to a designated medical facility for the purpose of obtaining a blood specimen. Any costs associated with this procedure will be paid by the County Attorney's Office.
7. Prior to requesting a suspect to submit a breath or blood specimen, the officer shall inform the person both orally and in writing that refusal to submit a specimen may be admissible in a subsequent prosecution and that the person's license, permit, or privilege to drive will be automatically suspended for not less than 90 days if the person is 21 years of age or older, or one year if the person is younger than 21 years of age, after a hearing provided for by law. The officer shall comply with this procedure by completing a "Police Officer DWI Statutory Warning" form (DIC-24) and reading the form to the suspect.
8. If the suspect refuses to submit a breath or blood specimen as requested, the officer shall document the refusal by completing form DIC-23 and attaching it to the form DIC-24. The officer shall request that the suspect sign the DIC-23 form. If the suspect refuses to sign, the officer shall sign the portion of the form documenting the suspect's refusal to sign.
9. As required by Texas statute, the officer shall require the suspect to submit to a chemical test for alcohol or controlled substance / drug content if the suspect has been arrested for the offense of Intoxication Assault or the offense of Driving While Intoxicated and the suspect was the operator of a motor vehicle involved in an accident that the officer reasonable believes occurred as a result of the offense; at the time of the arrest the officer reasonable believes that a person has died or will die as a direct result of the accident; and the suspect refuses the officer's request to voluntarily give a specimen. Under these circumstances, the suspect will be transported to a designated medical facility where a blood specimen shall be drawn by medical personnel. Costs associated with this procedure shall be the responsibility of the County.
10. In cases where the arrested person is suspected of being under the influence of a controlled substance or drug rather than alcohol, the officer should request the suspect to submit a blood specimen rather than a breath specimen. In rare cases, a urine specimen may be substituted for blood. Blood and urine specimens shall be submitted in a suitable



medical environment under appropriate medical conditions by authorized medical personnel.

11. Only those officers who have been certified as Intoxilyzer operators by the Texas Department of Public Safety shall perform breath tests. Intoxilyzer operators shall adhere to all policies, procedures, rules, and regulations established by the Texas Department of Public Safety.

#### **F. DWI Reporting Requirements**

1. The facts and circumstances surrounding the arrest of any person for Driving While Intoxicated shall be documented on forms obtained from the Texas Department of Public Safety, otherwise known as a DWI CASE REPORT, regardless of whether the person is actually charged with the offense of DWI.
2. The officer's summary of the incident shall include a list of the elements included in the offense charged as well as information to support each element, along with a detailed narrative of the offense and arrest. All pertinent information vital to the prosecution of the case shall be included in this narrative, including:
  - a. Details of the offense.
  - b. Probable cause for the stop and arrest.
  - c. Information about the suspect's vehicle.
  - d. Information about the suspect.
  - e. Sobriety tests administered and results.
  - f. Details about the arrest.
  - g. Res gestae statements made by the accused.
  - h. Any other relevant information.
3. In addition to the "DWI Case Report," the officer shall also complete a "Probable Cause Affidavit."
4. The completed DWI report package shall include all forms previously mentioned as well as copies of the following:
  - a. Criminal Case History
  - b. LIDR (driver license) record
  - c. Bryan Police Arrest record
  - d. Intoxilyzer or other chemical test report

#### **G. Video Taping of DWI Suspects (41.3.8)**

1. Video tape recorded evidence of a DWI arrest and suspect consist of one or both of the following:
  - a. Video recording of the actual offense, apprehension, field sobriety tests, and arrest accomplished with a mobile video camera mounted in a patrol vehicle.
  - b. Video recording of the prescribed sobriety tests conducted during the booking process at the County Jail.

2. In those cases where a mobile video camera is used to record the field activity, officers shall adhere to the procedures developed for the specific use of that equipment. If video recording is made of the DWI suspect in the field at the time of arrest, it is not necessary to video tape the suspect again at the time of booking.
3. Video taping of the booking sobriety tests shall be conducted in accordance with the procedures developed by the prosecutor's office for that purpose.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 14, 2005	<b>NUMBER</b> 06-06.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Driving While License Invalid (DWLI) Driving While License Revoked (DWLR) Driving While License Suspended (DWLS)	<b>CALEA</b> 61.1.5 b
<b>SUBJECT</b> DWLS & DWLR		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedures for handling persons charged with operating a motor vehicle when their driving privileges have been suspended or revoked.

**II. DEFINITIONS**

**DWLI** – Driving While License Invalid

**DWLR** – Driving While License Revoked

**DWLS** – Driving While License Suspended

**Reinstatement Fee** – An administrative fee associated with the renewal or reapplication for a driver’s license. Drivers operating a motor vehicle with a driver’s license which requires only a reinstatement fee are not subject to arrest.

**Surcharge** – A fine associated with a suspended driver’s license. Drivers operating a motor vehicle while under suspension who have not paid the required surcharge are subject to arrest.

**Revocation of driver’s license** – The termination, by formal action or the licensing authority, of a person’s license or privilege to operate a motor vehicle on a public highway which may not be restored except by applying to the licensing authority for a new license after the expiration date of the revocation.

**Suspension of driver’s license** – The temporary withdrawal of a person’s license or privilege to operate a motor vehicle on a public highway.

**III. PROCEDURES (61.1.5 b)**

- A.** When the driver of a motor vehicle is stopped and the officer learns of or has reason to believe that the person’s driving privilege has been suspended or revoked, the officer shall make every reasonable effort to determine the current status of the person’s driver’s license.
- B.** The officer shall request Brazos County 911 District communications personnel to conduct a driver’s license check to verify the driver’s license status.
- C.** If the LIDR check confirms that the driver’s license to drive is suspended or revoked and the driver can not provide evidence or documentation to the contrary, the driver may be arrested.

- D.** Arrests for out of state suspensions or revocations are prohibited. Officers may issue a citation for Failure to Display a Valid Drivers License in lieu of arrest for an out of state DWLS or DWLR.
- E.** The arrested person shall be booked for the appropriate charge at the Brazos County Jail.
- F.** The arresting officer shall file a case report for submission to the Brazos County Attorney's Office for prosecution. The case report shall include all pertinent information to document probable cause for the stop and subsequent arrest. Supporting documents shall be attached to and submitted with the case report.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-07.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Incompetent Driver Medical Evaluation Physically Impaired Driver	<b>CALEA</b> <a href="#">61.1.12</a>
<b>SUBJECT</b> Incompetent Drivers		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure for the identification and referral of drivers recommended for reexamination of licensing authorities.

**II. POLICY**

Routine enforcement, accident reporting, and investigation activities occasionally lead to discovery of drivers who are suspected of incompetency, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle. When such comes to the attention of an officer, the officer shall follow the proscribed procedure for reporting the involved driver to the Texas Department of Public Safety for license evaluation..

**III. PROCEDURES [\(61.1.12\)](#)**

- A.** Any officer, who discovers a driver who is suspected of incompetency, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle, shall complete a Texas Department of Public Safety “Medical Evaluation Request” or “Department Of Health Medical Evaluation Request Form.”
- B.** The Department of Public Safety form shall be forwarded to the local office of the Texas Department of Public Safety. The Department of Health form shall be forwarded to the address indicated on the form. Only one form is necessary, not both

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-08.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Parking Enforcement	<b>CALEA</b> <a href="#">61.1.13</a> <a href="#">61.4.3b</a>
<b>SUBJECT</b> Parking Enforcement		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning parking enforcement activities.

**II. POLICY**

The Bryan Police Department receives its authority to regulate parking from the City of Bryan Code of Ordinances and the Uniform Act Regulating Traffic on Highways. The Department shall enforce parking regulations as prescribed by state law and city ordinance according to the procedures contained in this directive.

**III. PROCEDURES [\(61.1.13\)](#)**

**A. Functional Responsibility**

1. The Patrol Division has the primary responsibility to enforce parking regulations and maintain safe and efficient movement of traffic.
2. Parking enforcement duties shall be coordinated and supervised by Patrol Division supervisors.

**B. Enforcement Guidelines**

1. Enforcement of parking regulations shall be primarily directed toward flagrant, potentially hazardous violations occurring on public streets, those which are reported to the Department and violations of parking for the disabled.
2. Enforcement alternatives shall include:
  - a. Verbal Warning
  - b. Voluntary removal of the vehicle by the owner/operator
  - c. Movement of the vehicle to a nearby location by the officer
  - d. Citation
  - e. Towing the vehicle

3. In all cases, voluntary removal of the vehicle by the owner / operator or when practical, movement of the vehicle to another nearby location by the officer are preferable to other enforcement alternatives.

**C. Parking Citations**

1. Citations issued for violation of parking regulations shall be filed on the Municipal Court Citation used for filing other traffic violations.
2. The officer issuing the citation shall supply all known information requested on the citation form. Additionally, the officer shall attach a license plate return (10-28) to document the registered owner of the vehicle.

**D. Towing Vehicles (61.4.3b)**

1. Towing vehicles for violation of parking regulations shall be restricted to situations in which the vehicle constitutes a hazard or obstruction to traffic and the officer is lawfully authorized to remove the vehicle.
2. Vehicles shall be towed in accordance with procedures established in General Order 06-14 (Towing of Vehicles).
3. Officers shall not tow a vehicle from private property except in emergencies where the vehicle constitutes a hazard or interference with a public safety agency in the course of performing an emergency service or by reason of catastrophe, emergency, or other unusual circumstance where the safety of the vehicle is imperiled.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-09.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Accident Investigation Traffic Accidents City Vehicle Accidents Police Vehicles Accidents STEP Grant	<b>CALEA</b> <a href="#">61.2.1a</a> <a href="#">61.2.2</a> <a href="#">61.2.3</a>
<b>SUBJECT</b> Accident Investigation		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the investigation of traffic accidents.

**II. DEFINITIONS**

**Traffic Accident Investigation** – Collection of factual information identifying and describing people, roads, and vehicles involved in an accident; describing the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final disposition of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and an attempt to specify the peculiar combination of factors required to produce that particular accident.

**Delayed Accident** – A motor vehicle accident in which all parties involved decide not to report the accident to Department at the time of occurrence, however, one or more parties’ later wish to have a police report made.

**III. POLICY**

The Department shall investigate all motor vehicle accidents which occur on public streets when there is visible, apparent damage to either vehicle involved in the accident and/or there are claimed or visible injuries; unless all vehicles involved are operable and all parties involved agree that a police investigation is not necessary.

The Department shall not investigate accidents which occur on private property unless there are injuries, the accident is a hit-and-run, a City vehicle or City property is involved, or the parties involved insist that a police investigation is necessary.

**IV. PROCEDURES**

**A. Functional Responsibility**

1. The Patrol Division has primary responsibility to investigate and report motor vehicle accidents.

**B. Response Procedures**

1. One or more officers shall always be assigned to respond to the scene of a motor vehicle accident involving any of the following:



- a. Death or injury *(61.2.2a)*
  - b. Hit and run *(61.2.2b)*
  - c. Impairment of an operator due to alcohol or drugs *(61.2.2c)*
  - d. Damage of City vehicles or property *(61.2.2d)*
  - e. Hazardous materials *(61.2.2e)*
  - f. Disturbance between involved parties *(61.2.2f)*
  - g. Major traffic congestion *(61.2.2g)*
  - h. Occurrences on private property
  - i. Damage to vehicles to the extent that towing is required *(61.2.2h)*
2. The responsibilities of the first officer(s) to arrive at the scene of an accident include:
    - a. Protecting the accident scene and establishing a safe traffic pattern around the scene to prevent further injury or damage. *(61.3.2a) (61.2.3e)*
    - b. Administering emergency medical care and providing basic life support *(61.2.3b)*
    - c. Calling for medical assistance, additional officers, wreckers, etc.
    - d. Preserving evidence
    - e. Locating witnesses;
    - f. Expediting removal of vehicles, persons, and debris from the roadway to restore flow of traffic to normal as quickly as possible.
  3. Normally, officers shall respond to a report of a traffic accident Code 2 in accordance with General Order 04-13 (Response Procedures), unless there is justification for responding Code3.
  4. Upon arrival at the scene, the officer shall position the patrol vehicle in a manner to most effectively protect the vehicles involved in the accident by diverting traffic around the accident site. *(61.3.2a)*
  5. The officers should first check for any immediate or potential hazards, such as fuel spills, exposed electrical wiring, hazardous materials, etc. If necessary, the officer should call for additional assistance. *(61.2.3c)*
  6. The officer should next check for injuries and request an ambulance, if necessary. While waiting for the arrival of an ambulance, officers should provide first aid to the extent that they are trained in such procedures. *(61.2.3b)*
  7. When necessary, flares and/or traffic cones shall be utilized to warn oncoming traffic. Flares and/or traffic cones should be placed at an adequate distance from the accident scene to allow drivers adequate distance to slow down. *(61.3.2a)*
- C. On-scene Investigation Procedures *(61.2.1b) (61.2.1b)***
1. Regardless of which officer arrives at the scene of an accident first, the officer in charge of the scene and responsible for the investigation and reporting of the accident is the officer assigned to the call by communications personnel unless the assignment is countermanded or assumed by supervisory personnel. If the accident is a fatality, the officer in charge of the scene is responsible for the preliminary investigation. The follow-up investigation shall be conducted by the Criminal Investigation Division including the on-call detective's response to the location of the accident. The accident reconstruction shall be conducted by the Traffic Safety Unit. *(61.2.3a)*

2. As soon as possible after stabilizing the accident scene, the investigating officer should locate the drivers of the involved vehicles and obtain drivers licenses and proof of insurance. The drivers should be asked to wait in a safe location until the officer has time to interview each. If there is the possibility of a disturbance developing, the drivers should be separated. *(61.2.3d)*
3. Any witnesses to the accident should be located and identified. If possible, the officer should determine what each witness saw before the witness leaves the scene. If that is not possible, the officer should ensure that the witness can be located for a follow-up interview. Names and addresses of witnesses to an accident shall be placed on a supplement report rather than listed on the accident report form. *(61.2.3d)*
4. Any necessary measurements and photographs should be taken and physical evidence collected as soon as possible so that the vehicles can be moved or towed and the flow of traffic restored to normal as quickly as possible. *(61.2.3d)*
5. The officer should speak to each driver separately to determine necessary information including a description of how the accident occurred. Each driver involved in the accident shall be given adequate opportunity to explain his/her version of the collision.
6. While speaking to each driver, the officer should look for signs of fatigue, alcohol or drug usage, physical defects, or any other factors that may have contributed to the accident. *(61.2.3d)*
7. Questioning of drivers and witnesses should be objective and thorough. Examination of the vehicles, roadway, traffic control devices, and other factors should be conducted to determine any contributing causes to the accident. The investigator should not be satisfied with just enough information to complete the accident report form. Conduct an accident investigation; don't simply fill out a report. *(61.2.3d)*
8. The accident investigator should carefully examine the involved vehicles for defects. Particular items to check include: brakes, lights, steering, tires, glass, etc. *(61.2.3d)*
9. The drivers should be allowed to exchange information for insurance purposes and shall be supplied with any necessary information or forms.
10. The investigating officer shall ensure that debris is removed from the roadway.
11. In accidents involving injuries or fatalities, the officer shall safeguard any valuables belonging to the injured and shall arrange for storage or return of the property. *(61.2.3f)*

#### **D. Follow-Up Investigation**

1. Follow-up responsibilities of the officer assigned to investigate an accident shall include:
  - a. Collecting off-scene data
  - b. Obtaining / recording formal statements from witnesses
  - c. Reconstructing the accident
  - d. Preparing the accident report
  - e. Preparing any additional reports to support any criminal charges arising from the accident
  - f. Obtaining breath or blood samples from involved persons.
2. An officer assigned to investigate an accident involving fatalities, hazardous materials, or other unusual circumstances may request expert and technical assistance to conduct the

investigation consistent with the nature of the accident. Such requests shall be directed to the field supervisor who shall assist the investigator in determining the type of assistance needed. Sources of assistance may include: photographs, surveyors, traffic engineers, mechanics, physicians, accident investigation specialists, and criminal investigators.

**E. Enforcement Action**

1. Traffic citations shall be issued when the accident investigation indicates that one or more drivers involved in the accident have violated a traffic law and the officer has sufficient evidence and information to substantiate the charge in court.
2. When possible, the citation should be issued at the scene upon completing the accident investigation. In more complex accidents requiring follow-up investigation, the citation may be issued at a later time upon completion of the investigation.

**F. Accident Reporting**

1. Accident investigations shall be documented on the following forms:
  - a. Texas Peace Officer's Accident Report
  - b. Commercial Motor Vehicle Supplement to the Texas Peace Officer's Accident Report (if available)
2. The accident report shall be completed in full according to the "Instructions (To Police) for Reporting Accidents" which is distributed by the Statistical Services Bureau of the Texas Department of Public Safety.
3. Accident reports, if handwritten, shall be done using black ink.
4. Unless an accident is unusually complex requiring an inordinate amount of follow-up investigation, the investigating officer shall complete and submit the accident report for review as soon as possible but within three days after the accident. Delays beyond three days must be approved by the officer's supervisor.
5. Shift Supervisors shall be responsible for the accident report review process. All accidents reports shall be submitted to the on duty supervisor for review and approval.

**G. City Vehicle Accidents**

1. When assigned to investigate traffic accidents involving City vehicles, officers shall notify their supervisor who shall notify the Field Operations Bureau Commander or the Commander on-call, if after hours.
2. City vehicle involved accident reports shall be completed and submitted within 24 hours of the accident.
3. Photographs shall be taken of all vehicles involved in an accident involving a Department vehicle.

**H. Police Fleet Accidents**

1. Accidents involving a Department vehicle shall be investigated by a patrol supervisor.
2. Department vehicle involved accident reports shall be completed and submitted before the supervisor goes off duty.

3. Photographs shall be taken of all vehicles involved in an accident involving a Department vehicle.

**I. Fatality Accidents (61.2.1a)**

1. When it is evident that death has occurred as a result of a motor vehicle accident, the investigating officer shall notify a supervisor and request a Justice of the Peace.
2. Photographs, measurements, and diagrams shall be taken or made to establish the precise location of bodies, vehicles, and other pertinent items relevant to the accident investigation by the Traffic Safety Unit.
3. The detective investigating a fatality accident shall obtain a blood specimen from any deceased persons involved in the accident.
4. The officer investigating a fatality accident shall require a breath test or blood specimen from any involved driver who has been drinking or is suspected of being under the influence of alcohol or controlled substance.

**J. Delayed Accidents**

1. The Department will not investigate delayed accidents unless there were injuries involved, the accident was a hit-and-run, or City property was involved.
2. Persons wishing to report a delayed accident shall be advised to exchange information with the other driver and be supplied with a “blue form” if the accident is such that the driver is required by law to file a report with the Department of Public Safety.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> April 4, 2005	<b>NUMBER</b> 06-10.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Hit-and-Runs	<b>CALEA</b> <a href="#">61.2.1c</a>
<b>SUBJECT</b> Hit-and-Run Accidents		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedure concerning the investigation of hit-and-run accidents.

**II. DEFINITIONS**

**Hit-and-run accident** – A motor vehicle accident in which the driver of one or more involved vehicles leaves the scene of the accident without complying with the duty to stop and render aid and give information as required by law.

**III. PROCEDURES (61.2.1c)**

**A. Preliminary Investigation**

1. The preliminary investigation of a hit-and-run accident shall be conducted by the patrol officer assigned to the call by communications or supervisory personnel.
2. No report is required for an unoccupied hit-and-run accident that has no information or evidence that would lead to solving the offense. Officers must provide the following:
  - a. A Department of Public Safety Driver’s Confidential Accident Report Form (“Blue Form”) to the complainant along with an explanation of its use.
  - b. Assistance to complainant in filling out the Blue Form
  - c. A description of the complainant’s vehicle including color and license plate number, the name of the complainant and issuance of blue form logged with dispatch.
3. The investigative procedure for a hit-and-run accident is identical to the procedure for investigating other traffic accidents except that the officer must use investigative techniques in an attempt to determine the following:
  - a. Factors contributing to the cause of the accident
  - b. A description of any vehicles not at the scene
  - c. A description of any driver who has left the scene unlawfully;
  - d. Any other information that would benefit the investigation.
4. Upon determining that an accident is a hit-and-run, the officer should:

- a. Obtain the best possible description of the hit-and-run vehicle, driver, and passengers including known or probable damage to the vehicle and last known direction of travel.
  - b. Broadcast the description to communications and other field units.
  - c. Locate and preserve physical evidence which may be useful in identification of the hit-and-run vehicle including:
    - (1) Hair
    - (2) Blood
    - (3) Soil
    - (4) Fabric
    - (5) Automotive parts
    - (6) Paint
  - d. Locate, identify, and obtain preliminary statements from witnesses.
5. Hit-and-run accidents that are investigated shall be documented on the appropriate Texas Department of Public Safety Accident Report form(s) and appropriate Bryan Police Department offense reporting form(s).
  6. The original investigating officer should follow-up on any investigative leads to locate the hit-and-run vehicle and identify the driver to the extent that he/she can do so without neglecting other patrol responsibilities. Follow-up activities conducted shortly after the original on-scene investigations are considered part of the original investigation.
  7. If the original investigating officer has not located the hit-and-run vehicle and/or driver by the end of his/her tour of duty, the officer shall photocopy the accident report and the hit-and-run report and submit the original accident and hit-and-run reports to the shift supervisor for review.

**B. Follow-up Investigation**

1. The responsibility for conducting the follow-up investigation of a hit-and-run accident is that of the initial investigating officer. Officers may solicit the assistance of patrol or criminal investigation personnel in locating suspect persons or vehicles.
2. The officer shall conduct the follow-up investigation in a manner similar to a criminal investigation.
3. Investigative techniques used by the officer may include:
  - a. Canvassing body shops, auto repair shops, service stations, etc. in an effort to locate the missing vehicle.
  - b. Mailing form letters to paint and body shops, garages, etc. to alert proprietors of these businesses to be on the lookout for the missing vehicle.
  - c. Disseminate all information relative to the hit-and-run accident to other field officers through written memoranda or roll-call briefings.
  - d. Checking the location where the accident occurred for a period of time after the accident during the general time frame, same day of the week, etc. in an effort to spot the missing vehicle.
  - e. Using media resources in seeking information relative to the hit-and-run accident.
4. When the suspect vehicle is located, the investigating officer shall establish positive identification utilizing physical evidence collected and witness identifications.

5. The vehicle's owner will be interviewed to determine the identity of the driver at the time of the accident.
6. Appropriate enforcement action shall be taken when the driver of the hit-and-run vehicle can be identified.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-11.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Traffic Direction Traffic Control Special Events	<b>CALEA</b> <a href="#">61.3.2</a>
<b>SUBJECT</b> Traffic Direction and Control		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to clarify the Department’s responsibilities concerning the safe and efficient movements of vehicles and pedestrians by means of traffic direction and control.

**II. DEFINITIONS**

**Traffic Direction and Control** – The functions, procedures, apparatus, markings, etc. designed to promote and insure the safe and efficient movement of vehicles and pedestrians.

**Traffic Control Device** – All signs, signals, markings, and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.

**Temporary Traffic Control Device** – Any movable barrier, portable sign, or other apparatus intended for temporary deployment to assist the safe and efficient movement and control of vehicular and pedestrian traffic.

**Special Events** – those events at which a large volume of vehicular and/or pedestrian traffic is anticipated, such as parades, sporting events, etc.

**III. POLICY**

This Department has an important role to play in carrying out traffic direction and control, however, this Department is not solely responsible for the traffic direction and control function. That responsibility is shared with traffic engineering authorities and with officials of various agencies and organizations which create the need for traffic direction and control at specific locations. The Department will carry out its responsibilities for traffic direction and control in concert with other authorities, by providing and managing appropriate personnel and other resources, in numbers and kinds adequate to deal with reasonable expectations concerning the need for traffic direction and control services. ([61.3.2](#))

**IV. PROCEDURES**

**A. Manual Traffic Direction and Control**

**1. Objective**



- a. The major objective of manual traffic direction and control is to maintain or restore the safe and efficient movement of vehicular and pedestrian traffic. In doing so, the officer is responsible for:
  - (1) Regulating traffic flow
  - (2) Controlling turning movements
  - (3) Coordinating vehicle movements with the flow at adjacent intersections
  - (4) Detouring traffic, as necessary
  - (5) Controlling pedestrian movements
  - (6) Arranging for removal of traffic obstructions
  - (7) Facilitating emergency vehicle movements
  - (8) Rendering aid and assistance to motorists and pedestrians
- b. Officers assigned to manual traffic direction and control duties shall at all times give due consideration to their own safety while carrying out the assignment.
- c. Officers shall use uniform procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction.
- d. The Department provides high visibility outerwear to officers assigned to perform manual traffic direction and control functions. Officers shall wear such high visibility outerwear, in addition to the prescribed uniform whenever engaged in manual traffic direction and control activities. *(61.3.2g)*
- e. Officers carrying out manual traffic direction and control will insure that their presence and purpose are well demonstrated to drivers and pedestrians by:
  - (1) Positioning themselves so that they can clearly be seen by all, usually in the center of an intersection or street.
  - (2) Standing straight with weight equally distributed on both feet.
  - (3) Allowing hands and arms to hang easily at the sides, except when gesturing.
  - (4) Standing facing or with back to stopped traffic and with the side toward traffic being directed to move.

2. Manual Gestures and Commands *(61.3.2b)*

- a. To stop traffic, the officer should extend the arm and index finger toward the person or vehicle to be stopped until the pedestrian or driver is aware of the officer's gesture. The pointing hand is then raised at the wrist so that the palm is toward the person to be stopped until compliance is assured.
- b. To start traffic, the officer should stand with shoulders and side toward the traffic to be started, extending the arm and index finger while looking directly at the driver or pedestrian to be started. With palm up, the pointing arm is swung, from the elbow only, through a semi-circle until the hand is adjacent to the chin. The gesture should be repeated until traffic begins to move.
- c. Right turning drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should extend the arm and index finger toward the driver, followed by swing the extended arm and index finger in the direction of the driver's intended turn.
- d. Left turning traffic should not be directed to effect their movement while the officer is also directing oncoming traffic to proceed. After stopping oncoming traffic, the officer should extend an arm and index finger toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended

turn. While allowing traffic to turn left, the officer should continue to gesture for all oncoming traffic to stop or remain stopped.

### 3. Audible Signals

- a. A whistle may be used to get the attention of drivers and pedestrians as follows:
  - (1) One long blast to STOP traffic.
  - (2) Two short blasts to START traffic.
  - (3) Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal
- b. The whistle should be used judiciously. It shall not be used to indicate frustration. The volume should be just sufficient to be heard by those attention is required. Whistle blasts directed at pedestrians should be moderate in volume. The whistle should be used only to direct traffic to stop and go, or to gain the attention of a driver or pedestrian. When its purpose has been achieved, the officer shall cease sounding the whistle.
- c. Verbal commands should be seldom used while directing traffic. Verbal orders are not easy to give or understand and often lead to misinterpretations which may be dangerous. If a driver or pedestrian does not understand the officer's signals the officer should move reasonably close to the person and politely and briefly explain the directions. Officers shall not exhibit loss of temper by shouting or otherwise indicate antagonism toward drivers or pedestrians.

### 4. Artificial Lighting Aids

- a. A traffic baton may be used when directing traffic during darkness. Signals and directions given with the aid of a traffic baton should be exaggerated and may need to be repeated often because of poor visibility. When not being used to give directions, the baton's light should be switched off.
- b. A flashlight may be used in a manner similar to a traffic baton.

## B. Temporary Control Devices *(61.3.2f)*

- 1. Temporary traffic control devices may be deployed in support of traffic direction and control activities only with the prior approval of supervisory or command personnel.
- 2. As soon as practical following termination of the need for the temporary traffic control device, the supervisor or commander authorizing deployment of the device will see to its removal or deactivation.

## C. Special Events

- 1. The primary task of Departmental personnel conducting traffic direction and control in support of an event is to assist motorists and/or pedestrians in the vicinity of the event.
- 2. A command level officer shall be responsible for participating in the planning for a special event which will involve Departmental personnel.
- 3. If the special event is a parade, the route will be determined and coordinated, as necessary, with other public service and transportation agencies.

4. Officers shall be assigned to key intersections and other locations for maximum direction and control of traffic in the areas adjacent to the special event.
  5. Adequate emergency service access will be provided to the scene of the special event.
  6. The officer in charge of the special event will insure adequate publicity for any changes or alterations in street utilization, parking availability, and the location of the event.
  7. Provisions should be made for identifying those persons working directly with the event to assist them in crossing police lines.
  8. Necessary provisions shall be made to periodically relieve Departmental personnel assigned to traffic direction and control at a special event.
- D. Fire Scenes (61.3.2c)**
1. Departmental personnel will maintain close working relationships with Fire Department and Emergency Services personnel and shall cooperate with those agencies in developing and implementing plans and procedures for providing traffic direction and control support at the scene of a fire or other emergency.
  2. The primary task of Departmental personnel engaged in traffic direction and control at a fire scene is to maintain access to and egress from the scene by fire and other emergency vehicles.
- E. Traffic Collision Scenes (61.3.2a)**
1. The primary task of Departmental personnel engaged in traffic direction and control at a traffic collision is to safely divert traffic around the site to effectively protect the collision scene.
  2. See General Order 06-09 (Accident Investigation) for applicable procedures.
- F. Adverse Road and Weather Conditions (61.3.2d)**
1. Adverse road and weather conditions may include accidental hazards (debris, downed power lines, etc.), acts of nature (fog, ice, high water, etc.), engineering hazards.
  2. Departmental personnel will maintain close working relationships with other agencies that share responsibility for coping with adverse road and weather conditions affecting traffic safety, and will continue to cooperate with them in developing and carrying out mutual assistance policies, procedures, and programs to serve the public as effectively as possible when such adverse conditions exist.
  3. Upon discovering or learning of a hazardous or adverse road or weather condition, officers shall notify supervisory personnel, who shall cause appropriate agencies and persons to be notified for the purpose of correcting the condition.
  4. The Department will provide traffic direction and control services and scene protection services in the vicinity of adverse road and weather conditions, as appropriate

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 01, 2004	<b>NUMBER</b> 06-12.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Emergency escort Funeral escort Police escort	<b>CALEA</b> <a href="#">61.3.3</a>
<b>SUBJECT</b> Traffic Escort Services		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

To establish procedures for providing safe law enforcement service for emergency escorts, funeral escorts, heavy or oversized load escorts and special event escorts.

**II. DEFINITIONS**

**Police escort** – The use of a marked police vehicle to accompany another vehicle or group of vehicles to a particular destination for a specific purpose, which may be of either an emergency or non-emergency nature.

**Emergency escort** – A police escort for the purpose of accompanying a person or vehicle to an emergency medical facility, or transporting blood and/or organs to a medical facility.

**Funeral escort** – A police escort for the purpose of accompanying a funeral procession from one location to another.

**Point traffic control** – The control of vehicular and pedestrian movement at a particular place on a roadway, especially intersections.

**III. POLICY**

The Bryan Police Department recognizes the need for periodic escorts for various functions. The purpose of such escorts is the safe flow of selected vehicle(s) from one point to another within the incorporated limits of the City of Bryan.

**IV. PROCEDURE**

**A. ESCORT COORDINATOR**

As designated by the Chief of Police, escorts will be coordinated, scheduled and managed by the Traffic Safety Unit Sergeant. The escort coordinator will evaluate and determine the number of required officers needed to perform the various escorts. The escort coordinator shall be notified in accordance with City of Bryan Ordinance and will then schedule the escort in accordance to this directive. All escorts will be evaluated to ensure the mission of the Bryan Police Department is not compromised, and unnecessary liability is not placed upon the City of Bryan.

A fee may be assessed for certain types of escorts in accordance with City of Bryan Ordinances. Once each month the escort coordinator shall obtain the information and prepare a list of the escorts logged by the department from the proceeding month for which a fee may be assessed. The escort coordinator shall forward the billing requisitions to the City of Bryan Finance Department for each of the escorts with the fees owed and the Finance Department will bill the appropriate company or person.

## **B. TYPES OF ESCORTS**

### **1. Emergency Escorts (61.3.3b)**

- a.** Law enforcement escort under emergency circumstances is an extremely dangerous practice and should be avoided whenever possible. In medical emergencies, the patient should be transported by ambulance.
- b.** Whenever possible, emergency police escorts of ambulance, fire, or private vehicles should be avoided. Officers should arrange for the transfer of the sick or injured patient to an emergency vehicle, preferably an ambulance, fire rescue vehicle, or life flight helicopter. Otherwise the officer should give directions to the nearest hospital.
- c.** If in the officer's opinion the situation is life threatening, the officer may initiate an emergency police escort of the private vehicle. The officer will immediately notify the communications center of the emergency escort, including the purpose, the starting location, the destination, the route to be taken and emergency code status.

### **2. Funeral Escorts (61.3.3a)**

- a.** The Department shall provide funeral escorts upon the request of a funeral home for the purpose of escorting a funeral procession from the funeral home, church, or other location to a cemetery.
- b.** Off-duty officers may provide such service with a minimum twenty-four (24) hour advance request, pending manpower and vehicle availability. Depending on the size of the funeral escort, on-duty officers may, at the direction of a patrol supervisor, assist in controlling traffic at intersections. On-duty units assisting the escort shall notify the communications center and be entered into call notes.
- c.** The Bryan Police Department escort coordinator will establish escort team size determined by the estimated number of vehicles in the procession and the distance and route to be taken.
  - (1)** One to three vehicles in escort: one police vehicle
  - (2)** Four to twenty vehicles in escort: two police vehicles
  - (3)** Twenty to forty vehicles in escort: three or four police vehicles
  - (4)** Forty or more vehicles in escort: four or more police vehicles
- d.** On arrival, the escort team will estimate the number of vehicles participating in the escort. If the escort team determines additional police personnel are needed, the escort coordinator should be notified. In the event the escort coordinator is not available, a patrol supervisor will be contacted.
- e.** The escort team will determine the safest route for the escort and communicate this to the funeral home staff, taking into consideration road and weather conditions, visibility, and traffic volume.
- f.** All processions will be kept in the curb lane as much as possible so as to allow the police escort to maneuver safely in the inside lane.
- g.** The escort team shall remind procession attendees to activate vehicle headlights.

3. Heavy or Oversized Load Escorts *(61.3.3a)*
  - a. Movers of mobile homes, houses, and over-sized loads may be provided police escort, except for safety reasons, as determined by the escort coordinator. All permits shall be reviewed by the escort coordinator before an escort will be approved.
  - b. Off-duty officers may provide such service upon a minimum forty-eight (48) hour advance request, pending manpower and vehicle availability. Depending on the size of the escort, on-duty officers may, at the direction of the patrol supervisor, assist by controlling traffic at intersections. On-duty units assisting with the escort shall notify the communications center and be entered into the call notes.
  - c. The Bryan Police Department escort coordinator will establish escort team size determined by the estimated number and size of vehicles in the procession and the distance and route to be taken considering road and weather conditions, visibility, and traffic volume.
  
4. Special Event Escorts *(61.3.3a)*
  - a. Police escorts for parades, VIPs, persons transporting large sums of money to a bank for deposit, etc. must be approved by the escort coordinator.
  - b. Off-duty officers may provide such service upon a minimum forty-eight (48) hour advance request pending manpower and vehicle availability. Depending on the size of the escort, on-duty officers may, at the direction of the patrol supervisor, assist by controlling traffic at intersections. On-duty units assisting with the escort shall notify the communications center and be entered into the call notes.
  - c. The Bryan Police Department escort coordinator will establish escort team size by the nature of the escort, estimated number of vehicles, distance and route to be taken considering road and weather conditions, visibility and traffic volume.
  
5. All officers involved in any of the above listed escorts shall abide by all other pertinent Bryan Police Department Policies and Guidelines.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> June 19, 1989	<b>NUMBER</b> 06-13.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Motorist Assistance Ancillary Services	<b>CALEA</b> <a href="#">61.4.1</a>
<b>SUBJECT</b> Ancillary Traffic Services		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

## I. PURPOSE

The purpose of this directive is to provide guidelines for the delivery of traffic related ancillary services provided by the Department.

## II. POLICY

Quite often, the public relies upon the police for assistance and advice in many routine, non-emergency, non-law enforcement related situations. Many of these requests for assistance are traffic related. The Department will offer reasonable assistance at all times to the motorist who appears to be in need of aid, particularly during the nighttime hours. Whenever possible, consistent with the prevailing necessity to affect apprehensions and to answer calls for service, officers shall stop and render aid to motorists who appear to need assistance. *(61.4.1d)*

## III. PROCEDURES

**A. Motorist Assistance.** Officers are expected to assist motorists by providing information, directions, and help to stranded or disabled motorists. To avoid injury, officers are discouraged but not prohibited from helping stranded or disabled motorists obtain fuel, change tires, and make minor repairs if they possess the knowledge and physical ability and the service can be timely completed. *(61.4.1a, b)*

**1. Jump Starting.** An officer is prohibited from ‘jump-starting’ a citizen’s vehicle unless a portable jump starter is used. If the vehicle creates a hazard, it is the officer’s responsibility to protect the scene by using emergency warnings or by assisting the motorist in pushing the vehicle to a safe location if the police vehicle is equipped with a push bar. *(61.4.1c)*

**2. Pushing Vehicles.** There will be no manual pushing of vehicles by members of this department, nor will any police vehicle be used to push another vehicle unless the police vehicle is equipped with a push bar. Push bars are to be used only for the purpose of immediately removing stalled or disabled vehicles from a hazardous location to a place of safety.

**a.** To prevent damage, officers should assure that the push bars match with the bumper of the stalled or disabled vehicle before attempting to move the vehicle.

- b. The stalled or disabled vehicle should be in neutral gear.
  - c. The stalled or disabled vehicle will have a driver in order to steer the vehicle to a place of safety.
  - d. Vehicles should be pushed the shortest possible distance.
  - e. Officers will not push any vehicle rated over a  $\frac{3}{4}$  ton pick-up (unloaded).
  - f. Officers will not push a vehicle for the purpose of starting the vehicle.
  - g. Officers may use push bars to remove accident vehicles without investigating the accident if none of the investigative criteria exist in accordance with General Order 06-09 (Accident Investigation). i.e., use of a push bar does not require investigation of an accident that would otherwise not be investigated.
3. Lockouts. Police employees will not assist persons to enter a locked vehicle by any means except when there is apparent danger to the health or safety of a person or animal. Persons seeking lockout help when there is no danger will be told that other arrangements must be made. One alternative referral would be the locksmith listings in the telephone directory yellow pages.
4. Vehicle Removal. If the officer believes the assistance cannot be timely completed or lacks the knowledge or ability to provide the assistance without risk of physical injury, or the environment poses a danger to the motorist, the motorist should be transported to the nearest point of safety by the officer. If traffic safety requires removal of the vehicle from a street and none of the alternatives to impoundment specified in General Order 06-14 (Towing of Vehicles) are viable; the officer will impound the vehicle.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> May 18, 2004</p>	<p><b>NUMBER</b> 32-15.2</p>
<p align="center"><b>CATEGORY</b> Traffic Services and Enforcement</p>	<p><b>INDEXED AS</b> Towing Vehicles Rotation Wrecker Wrecker Request</p>	<p><b>CALEA</b> <a href="#">61.4.3</a></p>
<p align="center"><b>SUBJECT</b> Towing of Vehicles</p>		
<p><b>AUTHORIZING SIGNATURE</b> <i>Original with signature on file</i></p>		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policy and procedure concerning the removal and towing of vehicles from public and private property.

**II. DEFINITIONS**

**Rotation wrecker** – A wrecker company that is included on the Department’s wrecker rotation list.

**III. POLICY**

The removal, towing, or impounding of a vehicle can have significant ramifications for the vehicle owner, the officer, and the Department; therefore, the towing of vehicles is prohibited except in cases where the officer has authority to do so and other alternatives are not reasonably feasible. The Texas Transportation Code and the Bryan City Code authorize police officers to provide for the removal of vehicles under certain conditions.

**IV. PROCEDURES**

**A. Authority to Remove Vehicles**

1. Officers are authorized to remove, or to require the driver or other person in charge of a vehicle to remove, a vehicle from a highway, street, or road when:
  - a. The vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic.
  - b. The vehicle is illegally parked so as to block the entrance to a private driveway.
  - c. The vehicle is found to be stolen.
  - d. The vehicle has been abandoned for more than forty-eight (48) hours. [\(61.4.3a\)](#)
  - e. The vehicle is so disabled that its normal operation is impossible or impractical and the owner or person in charge of the vehicle is incapacitated, unavailable, or unwilling to provide for its removal or custody.
  - f. The driver or person in control of the vehicle is arrested and taken into custody.

- g.** The vehicle constitutes a hazard or interference with normal function of a government agency, or by reason of any catastrophe, emergency, or unusual circumstance the safety of the vehicle is imperiled.

**B.** Wrecker Log (61.4.3c)

- 1.** The 911 Emergency Communications Center shall maintain a wrecker log including information concerning every vehicle towed as a result of involvement by an officer of this Department.
- 2.** The Wrecker Log shall contain the following information for each vehicle towed:
  - a.** Date
  - b.** Time
  - c.** Case number
  - d.** Rotation or request
  - e.** Wrecker company
  - f.** Location
  - g.** Vehicle's license number
  - h.** Officer's name
  - i.** Disposition
  - j.** Other comments

**C.** Rotation Wrecker List

- 1.** The 911 Emergency Communications Center shall maintain a Wrecker rotation list containing the name of each wrecker company that has requested and complied with the requirements of inclusion on the list. They will also keep a specialized wrecker rotation list for large or specialized towing capabilities.
- 2.** When an officer has cause to request a wrecker to tow a vehicle and the owner or other person in control of the vehicle is not able or willing to indicate a preference as to which wrecker company to call, the officer shall request a "rotation wrecker" to handle the tow.
- 3.** The wrecker company next in line on the wrecker rotation list shall be called by 911 Emergency Communications Center personnel when an officer requests a "rotation wrecker".
- 4.** If a wrecker company on the wrecker rotation list is unable or refuses to accept the tow, the next company on the list shall be called until the tow is accepted.
- 5.** When a wrecker company on the wrecker rotation list is unable or refuses to accept a tow when called by 911 Emergency Communications Center personnel, an entry shall be made on the wrecker log indicating such.
- 6.** When a situation requires a larger or more specialized towing capability such as a tractor-trailer and the operator does not request a specific towing company, a tow truck from the specialized wrecker rotation list shall be notified through the 911 Emergency Communications Center.

#### **D. TCIC Entry of Stored Vehicles**

1. The officer who authorizes and directs the towing of a vehicle is responsible for ensuring that the towed vehicle is entered into TCIC as a stored vehicle by intake personnel.
2. For TCIC/NCIC entry purposes, a stored/abandoned vehicle is described as a vehicle found abandoned for which the registered owner is unable to be contacted and a stolen vehicle record is not on file. Recovered stolen vehicles are not entered as stored after recovery. If the stolen vehicle report originated from within the Department the vehicle owner will be contacted. If the stolen vehicle report originated from outside the Department, a TCIC/NCIC entry form will be completed for a located stolen vehicle. This action serves as notification to the reporting agency that the stolen vehicle has been recovered.

#### **E. Disabled/Illegally Parked Vehicles (61.4.3b)**

1. Before towing a disabled or illegally parked vehicle, officers shall make a reasonable effort to locate the owner/operator of the vehicle and provide for the removal of the vehicle by other means.
2. If the owner/operator of the vehicle cannot be determined or located after reasonable efforts have been made, and the officer determines that the vehicle constitutes an obstruction or hazard, a “rotation wrecker” will be called to remove and store the vehicle.
3. The officer shall complete an incident report including the reasons for the removal of the vehicle and the wrecker company involved.

#### **F. Physically Arrested Persons**

1. When an officer physically arrests the driver or person in control of a vehicle, the officer shall provide for the security of the vehicle in one of the following manners:
  - a. If the vehicle is properly and lawfully parked and the arrested person consents, the officer may lock up the vehicle and leave it parked at that location.
  - b. If the arrested person wishes to release the vehicle to a responsible person who is present, the officer may do so after verifying ownership of the vehicle and confirming that the person is a licensed driver in a condition to assume control of a vehicle.
  - c. If the vehicle is not properly and lawfully parked and the arrested person is unable or unwilling to release the vehicle to a responsible person who is present, the officer shall ask the arrested person to designate a wrecker to remove the vehicle. If the arrested person refuses or has no preference, the officer shall request a “rotation wrecker” to tow the vehicle.

#### **G. Stolen Vehicles**

1. Before towing a vehicle confirmed to be stolen, officers shall:
  - a. Notify the agency originating the stolen report and determine whether the vehicle should be held for evidentiary purposes.



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 23, 1992	<b>NUMBER</b> 06-15.1
<b>CATEGORY</b> Traffic Operations	<b>INDEXED AS</b> Inventory Vehicle Inventory	<b>CALEA</b>
<b>SUBJECT</b> Vehicle Inventory		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to provide guidelines for the inventory of vehicles.

**II. POLICY**

It shall be the policy of this Department to conduct an inventory of the contents of all motor vehicles that are recovered, seized, impounded, or taken into the custody of the Department. This shall include vehicles of arrested persons which are towed from the scene of the arrest, regardless of where the vehicle is stored. The inventory of impounded motor vehicles shall be conducted for the following purposes: The protection of the owner’s property while it remains in police custody; the protection of the Department and its officers against claims or disputes over lost or stolen property; the protection of officers from potential danger.

**III. PROCEDURES**

**A. Vehicle Inventory Guidelines**

1. The inventory of a vehicle that has been seized, impounded, or taken into the custody of the Department shall be limited to those locations within the vehicle where items of value could reasonably be stored, including:
  - a. The passenger compartment
  - b. Under the hood
  - c. Inside the trunk
  - d. Within containers located inside the vehicle.
2. Containers or compartments within the vehicle that are locked shall not be forced open in order to inventory the contents. Containers or compartments within a vehicle shall be inventoried only if they are unlocked or accessible by key. Officers should inventory any items within locked areas that are in plain sight or visible from the exterior of the container.

**B. Vehicle Inventory Report**

1. Every vehicle inventory shall be documented on a Vehicle Inventory Report (Form 15)

2. The Vehicle Inventory Report shall be attached to the appropriate arrest report (if any) and forwarded to Records Section.
3. All items of value shall be recorded on the Vehicle Inventory Report.
4. In most cases, the property should be left inside the impounded vehicle. If, however, the vehicle cannot be reasonably secured or the property is of such value that the officer does not believe it would be safe to leave it in the vehicle, the property shall be booked with the prisoner's property (when practical) or logged into the Property/Evidence Unit for safekeeping. Any property removed from the vehicle shall be noted on the Vehicle Inventory Report, indicating where it is stored. Any damage to the vehicle shall also be noted on the report.
5. A Vehicle Inventory Report is required whether the vehicle contains any valuable property or not. When there is no property of value to inventory, the officer shall indicate "None" in the appropriate location on the form.
6. The signature of the owner or driver of the inventoried vehicle should be obtained on the Vehicle Inventory Report, when practical.

#### C. Discovery of Evidence

1. If, in the course of a vehicle inventory, the officer discovers an item that constitutes contraband or evidence connected to the commission of a criminal offense, the officer shall seize the evidence and process it according to the procedures outlined in General Order 08-05 (Collection and Preservation of Property and Evidence).
2. The discovery of contraband or evidentiary items during a vehicle inventory may provide probable cause to believe that inaccessible portions of the vehicle may contain additional contraband or evidence. If so, a search warrant shall be obtained to search those portions of the vehicle which would not ordinarily be subject to inventory.
3. When contraband or evidentiary items are discovered, the vehicle inventory shall be completed whether a search warrant is obtained to search inaccessible portions of the vehicle or not.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 01, 2004	<b>NUMBER</b> 07-01.1
<b>CATEGORY</b> Prisoner & Court Related Activities	<b>INDEXED AS</b> Prisoner Transportation Transporting Prisoners Restraining Device	<b>CALEA</b> 71.2.1
<b>SUBJECT</b> Prisoner Transportation Procedures		71.1.1 71.3.1
		71.1.2 71.3.2
		71.1.3 71.4.2
<b>AUTHORIZING SIGNATURE</b> Original with signature on file	71.1.4	
	71.1.5	
	71.1.6	
	71.1.7	
	71.1.8	

**I. PURPOSE**

The purpose of this directive is to establish general procedures for the transportation of persons in custody.

**II. DEFINITIONS**

**Prisoner** – A person who has been arrested and taken into custody, regardless of age.

**Transporting officer** – The officer responsible for transporting a prisoner from one location to another.

**III. POLICY**

Persons who are arrested and taken into custody of the Bryan Police Department shall be transported in a manner that will adequately provide for the safety and security of the prisoner, the transporting officer(s), and the general public.

**IV. PROCEDURES**

**A. Searching Prisoners (71.1.1)**

1. Prisoners will be searched at the time of arrest and prior to transport.
2. Any prisoner who is transferred from the custody of one officer to another for transportation purposes shall be searched by the officer receiving the prisoner, regardless of any prior search.
3. Prisoners being moved from a holding facility to another location shall be searched prior to transport.

**B. Searching Transport Vehicles (71.1.2)**

1. Vehicles shall be adequately searched prior to each tour of duty to ensure that there are no objects present under the seat that may be used by a prisoner to escape or attack the officer.
2. After transporting a prisoner and before resuming normal duties, vehicles should be searched on the assumption that the prisoner may have discarded a weapon, evidence, or contraband.

**C. Restraining Devices (71.2.1)**

1. Unless there are extenuating circumstances, such as physical handicaps, illness, injury, age, or other justifiable reasons, all prisoners will be handcuffed with their hands behind their back, palms outward, during normal transportation conditions. Officers shall use discretion in deciding whether to use restraining devices when extenuating circumstances exist. If the prisoner is judged to be a security risk, additional restraining devices should be used, so long as the safety of the prisoner is also ensured.
2. When transporting, handcuffs should be double-locked to prevent unintentional tightening.
3. Transport belts and ankle chains should be used when transporting prisoners out of county. If a transport belt is used, the prisoner's hands should be cuffed in front unless the prisoner is regarded to be a high security risk.
4. Seat belts will be used to secure prisoners while in transit, when feasible.
5. Under no circumstances is a prisoner to be "hog-tied" during transport or as a means of restraint.

**D. Prisoner Seating Arrangements (71.1.3)**

1. No more than two prisoners should be transported in a police car at the same time, unless emergency conditions exist.
2. In units equipped with security screens separating the front and back seats, prisoners will be placed in the back seat as far away from the driver as possible. (71.4.2)
3. In units not equipped with security screens, no more than one prisoner should be transported at a time. If there is only one transporting officer, the prisoner will be secured in the front passenger seat. If there are two officers, the prisoner will be seated in the right rear seat with one officer seated behind the driver.
4. Prisoners in transit shall be under observation by the transporting officer at all times, except:
  - a. When a prisoner is being examined or treated by a physician.
  - b. When a prisoner of the opposite sex is allowed to use toilet facilities.

**E. Prisoner Safety**

1. While transporting a prisoner, officers will not respond to calls or perform other law enforcement activities without the approval of a supervisor. (71.1.4)
2. Prisoners will not be allowed to communicate with family members, friends, or attorneys while in transit. (71.1.5)

**F. Escape Contingencies**

1. In the event that a prisoner escapes while in transit, the transporting officer shall:



- a. Notify Communications and broadcast a description of the escapee. *(71.1.7a)*
  - b. Coordinate an area search until relieved of responsibility by a supervisor. *(71.1.7c)*
  - c. Prepare appropriate offense reports. *(71.1.7b)*
2. If the escape occurs outside the jurisdiction of the Department, the transporting officer shall:
  - a. Immediately notify local law enforcement authorities. *(71.1.7a)*
  - b. Report the escape to the appropriate supervisor as soon as possible. *(71.1.7a)*
  - c. Assist the local law enforcement authorities in recapturing the escapee. *(71.1.7c)*

#### **G. Procedures Upon Arrival at Holding Facility**

1. Transporting officers shall utilize available facilities for securing weapons while booking prisoners into a holding facility. If the weapon facilities are full or disabled, the firearm/weapon(s) shall be secured in the trunk or locking console of the transporting vehicle. *(71.1.6a)*
2. Restraining devices should not be removed until the prisoner is released to jail officers or placed into a holding cell or area. *(71.1.6b)*
3. All necessary prisoner documentation and paperwork will be presented to the receiving jail officer. *(71.1.6c)*
4. The transporting officer will verify the transfer of custody of the prisoner by obtaining the signature of the receiving jail officer. *(71.1.6d)*
5. Any potential medical or security related matters regarding the prisoner will be relayed to receiving jail personnel. *(71.1.6e)(71.1.8)*

#### **H. Special Transport Situations**

1. Prisoners of the opposite sex
  - a. Male and female prisoners will not be transported in the same police vehicle with the exception of the jail transport van where segregation is possible and required.
  - b. The transporting officer shall notify communications of the vehicle mileage and locations at the beginning and end of the transport.
  - c. When a female prisoner is transported from out of county, a female officer should make the transport. If a female officer is not available, a non-sworn female member of the Department should accompany the transporting officer.
  - d. When a male prisoner is transported from out of county, a male officer should make the transport. If a male officer is not available, a non-sworn male member of the Department should accompany the transporting officer.
2. Juvenile Prisoners
  - a. Juvenile prisoners will be transported in the same manner as adult prisoners.
  - b. Adult and juvenile prisoners will not be transported together in the same police vehicle unless they are related.
3. Physically Handicapped Prisoners *(71.3.1)*

- a. Physically handicapped prisoners will be transported in police vehicles when possible.
  - b. If a physically handicapped prisoner cannot be transported in a police vehicle, an ambulance should be called.
4. Sick or Injured Prisoners (71.3.1)
- a. Seriously injured or ill prisoners will not be transported in a police vehicle. An ambulance will be called to transport the prisoner to a medical facility.
  - b. An officer should accompany the prisoner in the ambulance while in transit. (71.3.2)
  - c. While at the medical facility, an officer will remain with the prisoner at all times unless a physician or nurse requests the officer to leave the treatment area. In this event, the officer will station himself/herself in a location to minimize the opportunity for escape. (71.3.2)
  - d. When treatment is completed and the prisoner is released from the medical facility, the prisoner will be transported to the holding facility in a police vehicle.
  - e. If a prisoner is admitted to a medical facility overnight, the transporting officer will notify supervisory personnel so that arrangements can be made for long-term security, if needed. (71.3.2)

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> June 19, 1989</p>	<p><b>NUMBER</b> 07-02.1</p>
<p align="center"><b>CATEGORY</b> Prisoner &amp; Court Related Activities</p>	<p><b>INDEXED AS</b> Extradition</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Transporting Prisoners from Other Jurisdictions</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish procedures for transporting prisoners from other jurisdictions.

**II. POLICY**

When an individual, who is wanted by the Bryan Police Department for an offense other than a Class C Misdemeanor, is arrested in another jurisdiction, the Criminal Investigation Division shall be responsible for arranging for the return of the fugitive to this jurisdiction. The Brazos County Sheriff's Department is responsible for extradition of prisoners in most cases, but occasionally this Department may be required to make the transport. Arrangements for the return of Class C prisoners will be accomplished through the Municipal Court bailiff or the City Marshall (during normal working hours) or the on-duty patrol supervisor if after normal working hours or on a week-end.

**III. PROCEDURES**

- A.** The commanding officer of the Criminal Investigation Division, or his/her designee, will coordinate with the arresting agency to arrange for the return of the prisoner to the jurisdiction of this Department.
- B.** Prior to dispatching a transport team, the C.I.D. commander, or his/her designee, shall:
  - 1.** Ensure that the arrest warrant is in order.
  - 2.** Ensure that the prosecuting attorney's office intends to prosecute the case upon return of the prisoner.
  - 3.** Ensure that prisoners arrested out-of-state have signed a waiver of extradition by requesting a teletype or facsimile confirmation of the waiver.
- C.** Officers from different components within the Department may be recruited to transport or assist in the transport of prisoners from out of jurisdiction. Two officers should be assigned to transport a prisoner from out of jurisdiction.
- D.** When the prisoner to be transported is a female, a female officer should be assigned to the transport team. If no female officer is available, a non-sworn female member may be

- recruited (on a voluntary basis) to accompany the transport officer. If no female is available for transport duty, two male officers will be assigned.
- E.** The manner of transporting the prisoner will be determined by the distance of travel and other relevant factors. Prisoners may be transported by Department vehicle or commercial air carrier.
- F.** Officers assigned to an out of jurisdiction prisoner transport shall:
1. Sign Authority for Travel papers before departing.
  2. Wear appropriate clothing, according to General Order 03-23 (Non-Uniformed Clothing standards) while traveling and transporting a prisoner.
  3. Have in possession all relevant documents needed to verify the authority to arrest.
  4. Use appropriate restraining devices while transporting the prisoner in accordance with General Order 07-01 (Prisoner Transportation Procedures).
  5. Refrain from the consumption of alcoholic beverages while transporting a prisoner.
  6. Ensure that the prisoner has been arraigned before a magistrate in the arresting jurisdiction before returning to this jurisdiction.
  7. Thoroughly search the prisoner prior to transporting and after the prisoner has had access to tableware or has used a restroom.
  8. Keep the prisoner under observation at all times while in transit.
- G.** When transporting a prisoner via commercial air carrier, transport officers shall:
1. Obtain a letter signed by the Chief of Police on Department letterhead, requesting permission from the air carrier to allow the transport officers to travel with their weapons while transporting the prisoner.
  2. Arrive at the airport at least one-half hour before scheduled departure time in the event the airline requires pre-boarding of the prisoner.
  3. Notify airline officials of your purpose and sign the Firearms Authorization form.
  4. Request permission to leave the prisoner handcuffed while on-board the plane.
- H.** If there is a lengthy layover at an airport, the prisoner may be turned over to airport security if they are willing to take temporary custody and have a suitable holding facility.
- I.** If the prisoner is being transported by police vehicle and it is necessary to stop overnight or for a long period of time, the prisoner should be turned over to the local law enforcement agency for safekeeping.
- J.** If a prisoner becomes ill or injured while in transit, he/she shall be taken to a medical facility for treatment. The prisoner will be responsible for the expenses incurred.

- K.** When necessary to eat while transporting a prisoner, the transport office should request to speak with the manager of the restaurant prior to being seated to make sure there is no objection to having the prisoner in the restaurant.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> August 13, 2004	<b>NUMBER</b> 07-03.1
<b>CATEGORY</b> Prisoner & Court Related Activities	<b>INDEXED AS</b> Bonding Procedures Cash Bonds Person Recognizance Bonds Surety Bonds Capias Pro-Fines	<b>CALEA</b>
<b>SUBJECT</b> Bonding Procedures		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this policy is to outline the Department's procedures to be followed when completing a cash bond, capias pro-fine payment, personal recognizance bond, or surety bond for charges filed in the Bryan Municipal Court.

**II. POLICY**

It is the policy of the Bryan Police Department to comply with bonding and bail procedures set forth in applicable Texas State Statutes and Supreme Court Rulings regarding the posting and acceptance of bonds and bail.

**III. REGULATIONS**

- A.** Defendants who have been arrested and charged with Class C misdemeanors, traffic violations, or city ordinance violations filed with the Municipal Court, must post a bond, be it cash or surety, to ensure their appearance in court, prior to their release from custody.
- B.** Arrests for a capias pro-fine require that the defendants be brought before the Municipal Court Judge or pay a fine amount as a final disposition of the case.
- C.** Cash bonds/fines are to be in the exact amount of U.S. currency, traveler's checks, money order or cashier's check made payable to the City of Bryan. The Municipal Court does not accept personal checks or third party checks.

**IV. PROCEDURES**

**A. Cash Bonds/Fines Payments**

- 1.** The following paperwork is required to complete a cash bond/ fine payment:
  - a.** Arrest record
  - b.** Cash bond envelope
  - c.** Cash receipt



sign the bottom portion then the case remains open. If they do not appear as required, the court will proceed with bond forfeiture proceedings allowing the court to take the cash in as revenue. This does not pay the fine. The court will issue another warrant for the defendant's arrest. The defendant will start the process all over again as though no money was ever posted and the charges will still be outstanding. This can not be used for warrants that are for minor in possession of either alcohol or tobacco, driving under the influence, or cases where the defendant was a juvenile at the time of the offense.

## **B. Personal Recognizance Bonds**

1. Supervisory approval must be obtained to request a personal recognizance bond and shall be permitted for emergencies only. A personal recognizance bond shall only be issued upon approval of the Municipal Court Judge.
2. The releasing officer shall complete a Personal Bond Affidavit in duplicate.
3. The provisions of the personal bond shall be read and explained to the prisoner.
4. The prisoner shall be required to sign the Personal Bond Affidavit, acknowledging his/her understanding of the terms of the bond.
5. The releasing officer shall sign and date the affidavit.
6. The prisoner shall be provided with the carbon copy of the Personal Bond Affidavit upon release.
7. The date, time, releasing officer's name and bond information shall be written in the appropriate spaces on the prisoner's arrest record.
8. The original copy of the Personal Bond Affidavit shall be deposited in the designated location for retrieval by Municipal Court personnel.

## **C. Surety Bonds**

1. Surety bonds may be accepted for all Municipal Court offenses except a *capias pro-fine*. Surety bonds require an officer's signature. The officer's signature indicates that the bond is completed, valid, and is being accepted. The bond should have a court appearance time and date for the defendant. It is very important when an officer accepts a bond they acknowledge receipt by signing it. The bond is not valid unless signed by the officer.
2. On all surety bonds, regardless of format, there is a place for the officer to sign off when it is received. The officer enters the date the bond was received, county in which it was received, the sheriff's name and the officer's signature.
3. Before the officer signs the bond he/she must check it over to insure all necessary information has been entered correctly and the bond is notarized.
4. The amount of the surety bond should be equal to or greater than the fine amount for the offense committed. The bond must have a court appearance date and appearance time listed.



5. The bond should be signed by the defendant indicating that the defendant accepts the terms of the bonding agency and that the defendant waives his/her magistrates warning.

**D. Forms**

1. Referenced forms to be used can be located on the Department's "R;" drive under the current electronic forms inventory folder.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> October 1, 1989</p>	<p><b>NUMBER</b> 07-04.1</p>
<p align="center"><b>CATEGORY</b> Prisoner &amp; Court Related Activities</p>	<p><b>INDEXED AS</b> Complaint Procedure Affidavit for Complaint Municipal Court Complaints</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Municipal Court Complaint Procedures</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to outline the procedure to be followed when a citizen wishes to file a complaint in Municipal Court.

**II. POLICY**

When a citizen indicates a desire to file a Municipal Court complaint against another person, members of this Department shall assist the citizen by explaining the procedure for filing charges. Members shall neither encourage nor discourage the filing of such complaints, but should provide the citizen with necessary information and assistance, as needed.

The filing of charges in Municipal Court shall be accomplished by the procedures contained in this directive.

**III. PROCEDURES**

- A.** When a person indicates a desire to file a Municipal Court complaint against another person, the officer/person handling the situation should obtain enough information to determine whether the allegation falls within the jurisdiction of the Municipal Court.
- B.** If the allegation appears to fall within the jurisdiction of the Municipal Court, the complaining person shall be advised of the procedure for filing and following through with the complain procedure.
- C.** If the complainant understands the procedure and indicates a desire to initiate the complaint procedure, the officer or other Department member shall provide the complainant with a Municipal Court Application for Complaint, which must be completed and returned by the complainant. If the complainant needs assistance in completing the application, assistance shall be provided.
- D.** After the complainant has filled out the Application for Complaint, the officer / member shall review the application for completeness and shall clarify any missing or ambiguous information.

- E.** After completing the Application for Complaint, the complainant shall be provided with an instruction sheet which advises him/her to contact the Assistant City Attorney ten days after the date the application is filed to determine whether the complaint will be accepted by the City Attorney's office.
- F.** The officer / member handling the complaint shall write the Department's case number on the application and place the application in the designated location for retrieval by Municipal Court personnel.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> July 30, 2004	<b>NUMBER</b> 07-05.1
<b>CATEGORY</b> Prisoner & Court Related Activities	<b>INDEXED AS</b> Courtroom Attire Courtroom Demeanor	<b>CALEA</b>
<b>SUBJECT</b> Court Appearances		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish the responsibilities and procedures for members of the Bryan Police Department concerning appearances before the various courts in an official capacity as a representative of the Department.

**II. POLICY**

Any member of this Department who is required to appear, in an official capacity as a representative of the Department, before a court of law, grand jury, or other judicial panel, shall present themselves at all times in a professional manner, befitting their employment with the Department. When testifying, members shall respond in a courteous manner to all parties, both prosecutors and defense attorneys. Members shall avoid any unreasonable or unprofessional display of emotion.

Sworn officers shall remain especially alert at all times while in court to protect the judge, attorneys, jury members, witnesses, court personnel, spectators, and defendant in the event of disorder.

**III. PROCEDURES**

**A. Attire**

1. When attending court, whether in uniform or civilian dress, members of the Department shall attire themselves in such a manner as to present a professional, competent appearance.
2. Uniformed officers attending court while on-duty shall wear the appropriate uniform.
3. Uniformed officers attending court while off-duty may appear in uniform or may appear in plainclothes according to the guidelines provided below:
  - a. Male members attending court in civilian attire shall wear a dress shirt, necktie, and suit or sport coat and slacks.

- b. Female members attending court in civilian attire shall wear a dress, skirt and blouse, or suit with dress shoes.

## B. Case Preparation

1. Prior to appearing in court as a witness for the state, members shall thoroughly review the facts and circumstances of the case for which they have been called to testify.
2. Members shall take to court any necessary documents or items of evidence.

## C. Response to Subpoena/Summons

1. Members who receive summonses or subpoenas shall report to the appropriate location designated on the summons or subpoena at the time specified. Appearance in court while under summons or subpoena is a duty assignment. In the event it becomes necessary for a member to leave the courtroom or waiting area while waiting to testify, the member shall notify the appropriate attorney's office.
2. Any member who is summoned or subpoenaed to testify for the defense in a criminal or civil case shall notify their chain of command prior to appearing in court.
3. Members who are summonsed to appear for jury duty shall not make any attempt to be excused from such appearance solely on the basis of employment with the Department. This is not intended to prevent any member who has a legitimate excuse from jury duty from exercising their right to be excused.
4. In the event a member is summoned or subpoenaed to appear at more than one location at the same time, the member shall notify the involved attorneys of the schedule conflict as soon as possible.
5. Department members, not under a summons or subpoena, will not testify as representatives of the Bryan Police Department nor will they use any of their rights, powers, or privileges associated with their positions in the department to further a court case in which they have a family member, a friend, a business acquaintance or associate involved as a victim, witness, or suspect, unless prior authorization is obtained through the chain of command from the Chief of Police.
6. Department members may not pursue compensatory gain as a professional or expert witness in any civil or criminal case unless prior authorization is obtained through the chain of command from the Chief of Police.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> November 3, 2003	<b>NUMBER</b> 08-01.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Reserve officers	<b>CALEA</b> <a href="#">16.3.1</a> <a href="#">16.3.2</a> <a href="#">16.3.3</a> <a href="#">16.3.4</a> <a href="#">16.3.5</a> <a href="#">16.3.6</a>
<b>SUBJECT</b> Reserve Police		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish and describe the organization, function, duties and responsibilities of the reserve police program.

**II. DEFINITIONS**

**Reserve Officer** – commissioned peace officer, working in a part time capacity, which assists full time commissioned peace officers in the day to day delivery of police services and responds for police related emergencies.

**III. POLICY**

It is the policy of the Bryan Police department to establish and utilize the Police Reserve Force to serve at the discretion of the Chief of Police for the purpose of assisting full-time personnel in preserving the peace, enforcing the laws, and responding as needed for police emergencies.

**IV. REGULATION**

- A.** Reserve police officers must comply with the minimum training standards established by the Texas Commission on Law Enforcement Officer Standards and Education for law enforcement officers before an individual appointed as a reserve police officer may carry a weapon or otherwise act as a peace officer. [\(16.3.3\)](#)
- B.** The Chief of Police shall establish minimum physical, mental, educational, and moral standards used in the selection of reserve police officers. In no case shall the selection standards established for reserve police officers be different than those established for full-time officers.
- C.** The Chief of Police shall establish qualifications and standards of training for reserve police officers. In no case shall the training and qualification standards for reserve officers be different than those established for full-time officers performing similar functions.
- D.** Members of the Reserve Police Force shall be appointed, serve, and be relieved at the discretion of the Chief of Police. Reserve police officers may be called into active service at

any time the Chief of Police or his designee considers it necessary to have additional police officers to preserve the peace and enforce the law.

- E.** Reserve police officers are authorized, by the Chief of Police in accordance with the provisions of the Local Government Code (341.012 – Police Reserve Force), to carry a weapon at all times, regardless of whether they are engaged in the actual discharge of official duties.
- F.** Reserve police officers are authorized, by the Chief of Police in accordance with the provisions of the Local Government Code (341.012 – Police Reserve Force) to act as peace officers only during those times in which they are engaged in the actual discharge of official duties. During the discharge of official duties, reserve police officers shall act only in supplementary capacity to the regular police force and shall at no time assume the full-time duties of regular police officers.
- G.** The Reserve Police Force Major is responsible for coordinating all assignments, providing performance reviews, handling disciplinary actions, and any other supervisory or administrative functions necessary. The Reserve Major may be assisted in these duties by one or more Reserve Lieutenants.

## **V. PROCEDURE**

### **A. Recruiting**

- 1.** The Reserve Police Unit will be responsible for the recruitment of qualified applicants to serve as reserve officers. Background investigations will be conducted by the Training and Recruiting Unit. Reserve applicants shall be selected and processed utilizing the same criteria as applicants for full time police officer positions. All reserve applicants with who successfully complete the application process shall be submitted for certification to the Reserve Major. *(16.3.2)*
- 2.** An interview board comprised of the Reserve Major, Reserve Lieutenants, and Field Operations Bureau Commander, or their designee(s), will be conducted for the purpose of selecting reserve applicants.

### **B. Training**

- 1.** Reserve recruits shall receive required police academy training as mandated by T.C.L.E.O.S.E. and be certified as peace officers before being allowed to serve in any official capacity.
- 2.** Reserve police officers shall receive statutorily required training as is required of full-time police officers performing similar functions. *(16.3.5)*
- 3.** Reserve police officers will be required to undergo such additional training as shall be provided by the Department for full-time police officers performing similar functions. This training shall include but not be limited annual firearms qualification, use of force policy review, and legal updates. *(16.3.5) (16.3.6)*

### **C. Organization**

1. The City of Bryan Code of Ordinances provides for the establishment of a Reserve Police Force for the City of Bryan, Texas. Reserves police officers are subject to all rules, regulations, policies, and procedures established for regular police officers, and in addition shall conform to other guidelines established specifically for police reserves.
2. The Reserve Police Force may not exceed in number the total number of regular police officers authorized.
3. The Reserve Police Force is a component within the Field Operations Bureau, commanded by a reserve Major who reports to the Special Operations Division Lieutenant.
4. Reserve Police Force officers are subject to the supervision and direction of the regular officers and supervisors as assigned.

### **D. Assignments and Duties**

1. Reserve police officers shall serve a minimum of eight (8) hours per month. Monthly meeting hours do not fulfill this requirement. Reserve police officers may work assignments of special events and special details which do count towards the eight (8) hour requirement.
2. While operating in a patrol function the reserve police officer must be accompanied by a full-time officer or supervisor, unless there is specific approval from the Special Operations Lieutenant or a command officer of equivalent or higher rank.
3. Reserve police officers may work alone for special event details, which may include operating a marked patrol vehicle.

### **E. Participation**

1. Active participation in the program is expected of all reserve police officers and absences will be closely monitored. The Reserve Major shall report each month those officers who did not fulfill the minimum duty to the Lieutenant in charge of maintaining those records. Such reports will be in writing and will state the reasons given for any absences. With the Major's approval, special detail time may be substituted for the required minimum duty.

### **F. Uniforms and Equipment**

1. The Department will furnish uniforms and other equipment as available to reserve police officers and provide for the cleaning of uniforms as needed. Reserve police officer uniforms and equipment will be indistinguishable from that issued to full-time police officers performing similar functions. *(16.3.4)*



**G. Disciplinary Actions**

1. The Chief of Police, or his designee, shall have sole authority to terminate a reserve police officer.
2. Disciplinary actions concerning reserve police officers shall conform to General Order 03-03 (Disciplinary System).

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 8, 2004	<b>NUMBER</b> 08-02.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Chaplains Program	<b>CALEA</b> <a href="#">55.2.6</a>
<b>SUBJECT</b> Chaplains Program		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish department policy and procedures governing the Police Chaplains Service Program.

**II. POLICY**

It is the policy of the Bryan Police Department to utilize the Police Chaplain Program to provide counseling, assistance, and support to its employees and citizens of the community in personal matters and in times of crisis.

**III. PROCEDURES**

Police Chaplains are approved by the Chief of Police and are qualified, experienced clergy licensed or ordained by their respective denominations, and in good standing with their congregation or governing board. Police Chaplains are not employees of the Police Department and receive no monetary compensation from the City of Bryan for their services. The Police Chaplain Program is designed to provide an additional resource for the employees of the Police Department as well as the Citizens of Bryan.

**A. Selection and Retention**

1. Clergy who desire to apply as a volunteer Police Chaplain will be required to submit an application and resume outlining their training and experience in counseling and ministry to the Police Chaplain Review Committee. The Police Chaplain Review committee is composed of ordained clergy who are members of the Police Chaplain Program. The committee will screen all potential applications and forward the application and committee recommendations to the Chief of Police.
2. Those applicants who successfully complete the screening process and required records check will be eligible for appointment to a position of Police Chaplain by the Chief of Police. Once appointment is approved, and the required training is successfully completed the Police Chaplain will be issued a Police Chaplain Identification Card by the Police Chaplain Program Coordinator.

3. Any complaint regarding misconduct by a Police Chaplain shall be forwarded to the Chief of Police for review and appropriate action. A Police Chaplain may be removed from service at any time at the discretion of the Chief of Police.

## **B. Duties and Responsibilities**

1. The Police Chaplain should be available to accompany officers on a periodic basis and to respond to requests for service. The following is a partial list of the services the Police Chaplain may provide:
  - a. Guidance and support, upon request, to individuals of various religious backgrounds (interdenominational ministry).
  - b. Assistance to officers when dealing with complex domestic disturbances, hostage negotiations, suicides, death notifications, or relatives of homicide victims. (55.2.6)
  - c. Counseling in support of critical incident stress management as needed within the Department.
  - d. Counseling to employees and their families after a crisis (officer involved shooting, death of family member, illness, or serious injuries).
  - e. General counseling for individuals experiencing problems.
  - f. Assistance and support at funerals.
  - g. Assistance in developing family support groups.
  - h. Other situations in which an employee or citizen requests to speak with a chaplain.
  - i. Participation at formal ceremonies and staff meetings of the Police Department.
2. Police Chaplains are required to submit a recap of hours worked on the proper form to the Police Chaplain Coordinator on completion of each call out or ride-along.
3. Any time a police officer wishes to refer a citizen to a Police Chaplain, it will be accomplished only with the approval of his/her immediate supervisor.

## **C. Supervision**

1. Although the Police Chaplain position is considered its own rank, the Chaplain Service is a volunteer organization and is not included within the formal organizational structure of the department.
2. The Chaplain Service shall be under the direction and control of the Support Services Bureau Commander. The Support Services Bureau Commander will designate and appoint an individual to serve as the Police Chaplain Coordinator.
3. Police Chaplains are encouraged to communicate with management personnel throughout the department for the purpose of reporting issues affecting the Department, without violating confidentiality commensurate with the rules and regulations pertaining to clergy.

## **D. Training**

1. The Police Chaplain Program Coordinator shall assist Police Chaplains in obtaining or participating in relevant departmental training as needed.

2. Police Chaplain Candidates are required to successfully complete the Citizens Police Academy training and ride-along prior to assuming the duties and responsibilities of a Police Chaplain.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> August 13, 2004	<b>NUMBER</b> 08-03.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> School Crossing Guards	<b>CALEA</b> 61.3.5
<b>SUBJECT</b> School Crossing Guards		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish Departmental policy concerning school crossing guards and their responsibilities.

**II. DEFINITIONS**

**School Crossing Guard**: A responsible person who is at least 18 years of age and is designated by a local authority to direct traffic in a school crossing zone for the protection of children going to or leaving a school.

**III. POLICY**

The Department will authorize and provide, as necessary, non-sworn personnel to serve as adult school crossing guards. The sole function of the crossing guard is to expedite the movement of children to and from school by creating safe gaps in vehicular traffic, and directing children to cross through these gaps, when and as appropriate. School crossing guards shall not direct vehicular traffic in the usual regulatory sense. Statutory authority for the obedience to school crossing guards is conferred under the Texas Transportation Code, Section 541.001 (5) and 542.501.

**IV. PROCEDURES**

**A. Selection and Training**

1. The School Resource Sergeant is responsible for screening, hiring, training, and supervision of all school crossing guards.
2. School crossing guards will be screened and selected on the basis of their mental and physical aptitudes and abilities, consistent with the knowledge and skills required for the crossing guard function. A complete job description for the school crossing guard position is maintained by the City of Bryan Human Resources Division.
3. The Department will provide basic training in the crossing guard function to each newly appointed crossing guard prior to assignment in that capacity as required by the Texas Transportation Code, Section 600.004.

**B. Duty Assignment and Requirements**

1. The School Resource Sergeant, in conjunction with the City of Bryan Transportation Department, shall determine locations requiring the services of a school crossing guard based on such criteria as: traffic volume, speed, width of intersection, physical terrain, existence or absence of traffic control devices, and the number and ages of children utilizing the crossing.
2. When carrying out their assignment, the uniform of school crossing guards will consist of comfortable personal clothing for weather conditions and a reflective safety vest with “Crossing Guard” across the front and rear panels. School crossing guards will carry a hand-held “STOP” sign. A high visibility traffic cone with a “Slow” sign attached should also be utilized. The cone and attached sign should be placed in the center of the street at the site of the crossing while the school zone is operational. All vests, cones, and signs will be provided by the Department.
3. If a school crossing guard is not available for duty at a designated location, the School Resource Sergeant will provide for or arrange for a replacement until a regular school crossing guard is available.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 08-04.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Property Management Evidence Management Property Clerk Technical Services	<b>CALEA</b> <a href="#">84.1.1</a> <a href="#">84.1.4</a> <a href="#">84.1.6</a> <a href="#">84.1.7</a>
<b>SUBJECT</b> Property Management		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish a system for the management of property and material belonging to or under the control of the Department.

**II. POLICY**

It is the policy of this Department to maintain strict measures with respect to the handling, security, and disposition of property which comes into the possession or under the control of the Department. The expeditious return of property to its rightful owner is a primary goal of the Department.

**III. RULE**

Entry, by any member or non-member, into any property storage area assigned for use by the Property and Evidence Unit is strictly prohibited without prior knowledge and consent from the property clerk, Support Services Sergeant, Support Services Lieutenant, a Bureau Commander, or the Chief of Police.

**IV. PROPERTY MANAGEMENT RESPONSIBILITIES**

- A.** Management activities pertaining to property and evidence are the responsibility of the Auxiliary Services Division which is commanded by a Manager who reports to the Operations Support Bureau Commander.
- B.** The Property and Evidence Unit is a component within the Auxiliary Services Division, comprised of a property clerk and evidence clerk.
- C.** The Property and Evidence Unit is accountable for:
  - 1.** The care, control, and disposition of property and evidence which comes into the possession or under the control of the Department.
  - 2.** Maintaining the security of all property storage areas under the control of the Property and Evidence Unit.

3. Maintaining order and cleanliness in property storage areas.
- D.** At least once each month, an inspection of the Property and Evidence Unit shall be conducted by the Auxiliary Services Division manager. The inspection shall be conducted for the purpose of determining:
1. That the property room is being maintained in a clean, orderly fashion.
  2. That procedures concerning property management and control are being followed.
  3. That property is being protected from damage or deterioration.
  4. That property accountability procedures are being maintained.
  5. That property having no further evidential value is being disposed of promptly.
- E.** Unannounced inspections of property storage areas shall be conducted semi-annually at the direction of the Operations Support Bureau Commander. The purpose of these unannounced inspections is to ensure property accountability and security. Unannounced inspections will involve a random comparison of property records against property inventories.
- F.** To ensure the integrity of the property management system, a staff inspection of the Property and Evidence Unit may be conducted by a supervisor who is not directly involved in the management of property. The supervisor assigned to conduct the staff inspection will be appointed by and will submit a written report of findings to the Chief of Police.
- G.** When responsibility for the care and control of property and evidence is transferred from one person to another, an inventory of property shall be conducted jointly by the incoming property clerk and the outgoing property clerk to ensure that records are correct and properly annotated. This inventory does not require an accounting of every item of property, but shall be sufficient to ensure the integrity of the system. A sufficient number of property records will be reviewed with respect to proper documentation and accountability.

**V. MANAGEMENT OF HIGH RISK PROPERTY AND EVIDENCE**

- A.** Items of property considered to be sensitive, high in value, or otherwise constituting an increased security risk shall be stored in separate, locked secure areas within the property / evidence storage area. Such items include but are not limited to: money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs.
- B. Narcotics and Dangerous Drugs**
1. The storage of narcotics and dangerous drugs shall be strictly controlled. The Property and Evidence Unit shall use the following systems to ensure the integrity of narcotics and dangerous drug evidence:
    - a. A quality control system
    - b. A quantity control system
    - c. A narcotic and dangerous drug container inspection system



2. Controlled substances shall be weighed by the officer who logs the property / evidence into the evidence unit. When the controlled substance is in the form of pills, capsules, rocks, or other countable form, the officer shall also count number of individual items of substance. Controlled substances shall be placed in an evidence bag or other suitable container and sealed with tamperproof evidence tape or seals. The count and weight shall be noted on the evidence seal, property records, and case report.
3. Upon receipt of controlled substances, the property clerk shall weigh the packaged substance and note the packaged weight on the property record along with the date, time, and clerk's signature. The packaged substance shall be weighed each time it is logged in or out of the property unit.
4. Any officer or property clerk who has reason to believe that a package containing a controlled substance has been tampered with shall bring the package to the attention of his/her supervisor. The supervisor will notify command personnel.
5. All containers of narcotics and dangerous drugs shall be periodically inspected by property / evidence unit personnel and supervisors as a safeguard against tampering or the substitution of materials having the same weight.

#### **VI. DISPOSAL OF PROPERTY AND EVIDENCE**

- A. All property which cannot be returned to a rightful owner and all evidence for which a case is no longer pending will be disposed of in accordance with State Law, City Ordinance, and Departmental Guidelines.
- B. Departmental guidelines for disposal of property will be developed and maintained by the Lieutenant of the Support Services Division.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 08-05.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Evidence, Collection of Property, Collection of	<b>CALEA</b> <a href="#">83.1.2</a> <a href="#">83.2</a> <a href="#">83.3.2</a> <a href="#">84.1.1</a> <a href="#">84.1.2</a>
<b>SUBJECT</b> Collection and Preservation of Property and Evidence		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish procedures for the collection and preservation of property and physical evidence.

**II. POLICY**

It is the duties of all members to care for, control, and process correctly, all evidence or property that may come into their possession.

**III. PROCEDURES**

- A.** Members shall not remove, use, loan, give, or otherwise dispose of any property for personal gain.
- B.** Property or evidence shall be submitted to the Property and Evidence Unit as soon as possible after it comes into the possession of an officer. Officers will not end a tour of duty before first properly submitting any property or evidence in their possession.
- C.** Evidence shall not be retained or stored in an officer's office, locker, desk, C.I.D., storage, etc. unless it has been logged out to the officer by the Property and Evidence Unit for investigative or court purposes.
- D.** All evidence shall be properly marked for identification before submission to the Property and Evidence Unit.

**IV. PROCEDURES**

- A.** Collection of Physical Evidence
  - 1.** When feasible, the entire article of physical evidence shall be collected. When this is not possible, as large a sample as possible should be collected.
  - 2.** If the evidence in question is found in the presence of a foreign substance, a sample of the foreign substance should also be collected along with the evidence. For example, if a

blood stain is found on linoleum, a sample of unstained linoleum should be collected also.

3. Each item of evidence must be collected and preserved as a separate sample. There must be no mixing or intermingling of unknown specimens with known specimens. For example, the glass found at the scene of a hit-and-run accident must not be placed in the same container as the glass sample taken from the suspect vehicle.

## **B. Marking and Labeling Physical**

1. For physical evidence to be admissible in a court of law, it is essential that the chain of evidence be maintained. The initial step in this process involves marking or labeling the item at the time it is collected, seized, or recovered.
2. When possible, evidence should be etched or engraved with the officer's name or initials, the date of recovery and the case number. Direct marking of evidence shall be done in a manner so as not to alter the evidentiary value of the item or to deface, damage, or destroy the property.
3. Evidence that cannot be marked in the preceding fashion shall be packaged in an appropriate container and sealed. A label containing the officer's name, date, case number, and any other relevant information shall be affixed to the container.
4. The officer taking custody of any property or physical evidence is responsible for attaching a property tag to the item. The property tag must be affixed to the item or to the container in which the item is stored in a manner so that the chain of evidence can be documented on the back of the property tag. The officer will complete the front of the property tag with the following information:
  - a. Case number
  - b. Evidence description
  - c. Place found
  - d. Type of property
  - e. Date and time of recovery
  - f. Defendant (if applicable)
  - g. Offense (if applicable)
  - h. Owner (if known)
  - i. Officer's signature
5. The chain of evidence shall be documented on the back of the property tag each time the property is transferred to another person or to a property storage facility.
6. A copy of the completed BPD-02 and BPD-02A will be submitted to the Property and Evidence Unit along with the property. The copy may be handwritten, photocopy, or computer generated. This form shall not be attached to the property in any permanent manner, such as stapling.

### **C. Submitting Property/Evidence**

1. After properly marking, labeling, and tagging the property or evidence, the officer shall place the item into an available evidence locker along with the copy of the BPD-02 and BPD-02A.
2. The locker shall be secured and the key placed in the key drop.

### **D. Special Circumstances**

1. **Oversized Items:** Items which will not fit into evidence lockers will be placed in the outside storage building. The BPD-02 shall note the location of the property and will be submitted to the Property and Evidence Unit by means of the evidence locker key drop.
2. **Currency:** Large sums of cash should be counted and serial numbers listed in the presence of a supervisor or the property clerk before being placed in an evidence locker.
3. **Narcotics:** Narcotics or controlled substances shall be counted and weighed and sealed before being placed in an evidence locker.
4. **Wet / Bloody Items:** Evidence stained with blood, semen, or other liquid substances shall be air dried in an area designated by the property and evidence unit and sealed in a paper bag or cardboard box before being placed in an evidence locker.
5. **Hair / Fibers:** Evidence suspected of containing hairs, fibers, or other microscopic evidence shall be sealed in an appropriate container to prevent loss of any evidence. The container should be labeled so as to alert the property clerk about the sensitive nature of the evidence.
6. **Fingerprints:** Items believed to contain latent fingerprints shall be placed in an appropriate container so that the fingerprints will not be disturbed or obliterated. The container shall be marked to indicate that the contents need to be processed for latent fingerprints. The copy of the BPD-02 shall also note the need for processing. Comparisons of latent fingerprints made by qualified members within the Department which are, in their opinion, matched to a particular individual shall be examined by another qualified fingerprint examiner to verify the accuracy of the identification.
7. **Hazardous Material:** Toxic, combustible, flammable, explosive or other items of a hazardous nature shall not be brought into the police building or placed into an evidence locker. Officers coming into possession of such items should contact a supervisor to determine the appropriate manner to store them.
8. **Refrigeration:** Evidence that requires refrigeration shall be stored in the evidence refrigerator located in the Property and Evidence Unit. Rape kits and other evidence of a medical nature that are subject to analysis shall not be left at the hospital lab but shall be stored in the Property and Evidence Unit. All refrigerated evidence shall be placed in an appropriate container and properly marked, labeled, and tagged with a chain of custody card. The BPD-02 shall note the location of the evidence and shall be submitted to the Property and Evidence Unit by means of the evidence locker key drop.

## **E. Reports**

- 1.** The officer who processes a crime or accident scene for evidence is responsible for completing a report containing an accurate record of events that transpired at the scene in connection with the investigation.
- 2.** The report should include the following information:
  - a.** Date and time of arrival at the scene
  - b.** Location of the crime or accident
  - c.** Names of victims, witnesses, and suspects
  - d.** Action taken at the scene
  - e.** List of physical evidence recovered
  - f.** Disposition of recovered evidence
  - g.** Case number
  - h.** Any other relevant

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> October 1, 1989</p>	<p><b>NUMBER</b> 08-06.1</p>
<p align="center"><b>CATEGORY</b> Auxiliary &amp; Technical Services</p>	<p><b>INDEXED AS</b> Evidence, Analysis of Forensics Laboratory Crime Lab Submission of Evidence</p>	<p><b>CALEA</b> <a href="#">83.2</a></p>
<p align="center"><b>SUBJECT</b> Submission of Evidence to a Forensic Laboratory</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish procedures for the submission of evidence to a forensics laboratory for analysis.

**II. POLICY**

The Department will utilize the forensic laboratory services of the Texas Department of Public Safety in most cases in which there is a need for laboratory analysis of evidence. These services are most commonly utilized by submitting the evidence in question to the appropriate DPS laboratory, either by personal delivery or through the mail. In the investigation of a major crime, such as a complicated homicide or suicide, the commanding officer of the Criminal Investigation Division shall have the authority to request the assistance of DPS laboratory personnel in conducting the search for, collection and preservation of physical evidence at the scene of the crime.

**III. PROCEDURES**

- A.** Officers shall follow the procedures for submitting physical evidence which are outlined in the *Physical Evidence Handbook*, published by the Texas Department of Public Safety Crime Laboratories.
- B.** Occasionally, it may become necessary to submit evidence for analysis to a forensics laboratory other than a DPS lab. In those cases, officers shall follow the procedures recommended or required by those laboratories.
- C.** The officer who is in charge of or responsible for the investigation of a crime or accident shall be responsible for ensuring that all evidence needing forensic analysis is submitted to the appropriate laboratory.
- D.** The officer submitting evidence for laboratory analysis shall retain a copy of the evidence submission forms to be included in the investigative case file.
- E.** In all cases, the officer submitting the evidence for laboratory analysis shall request a written report of laboratory findings. The laboratory report shall be included in the investigative case file.

**F.** The member submitting evidence for laboratory analysis shall ensure that the chain of custody is maintained and documented throughout the submission process.

**G.** Sexual Assault/DNA Evidence

1. DPS Labs give priority to the following categories of sex crimes:
  - a. Sexual assault/sex offenses involving unknown offenders
  - b. Sexual assaults involving children and the elderly
  - c. Aggravated sexual assaults
  - d. Drug induced sexual assaults
  - e. Sexual assaults which include suspect samples at the time of submission
2. The investigator assigned to investigate a sexual assault case falling into one of the above five categories will submit a lab submission form for any sexual assault/DNA evidence related to the case to the Property/Evidence Unit within one week after being assigned the case.
3. Personnel from the Property/Evidence Unit will periodically hand carry such evidence to the DPS Lab for analysis.
4. Sexual assault evidence in cases in which a question of consent is the issue or those in which the victim does not intend to pursue any charges should not be submitted until a sample from the offender is obtained.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> October 1, 1989	<b>NUMBER</b> 08-07.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Found Property Deceased Persons, Property	<b>CALEA</b>
<b>SUBJECT</b> Found Property		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning found property.

**II. DEFINITIONS**

**Found property** – tangible property whose rightful owner cannot be immediately determined or is unable to assume control of the property.

**III. POLICY**

It is the policy of this Department to safeguard any tangible property that is found by members of the Department or turned over to a member of the Department and to make every reasonable effort to return the found property to the rightful owner.

**IV. RULE**

Under no circumstances will an officer or other member of this Department convert any found property to personal use or gain without the legal authority to do so.

**V. PROCEDURES**

- A.** Officers who come into possession of tangible property that does not constitute evidence and whose rightful owner is unknown or cannot assume control of the property shall take the property to the police station for safekeeping.
- B.** The officer taking possession of the property shall make every reasonable effort to determine ownership of the property, including the running of computer checks of the serial number and/or other assigned number to determine if the item may have been reported stolen. If the item is found to be reported stolen, it shall be treated as evidence. If the item has not been reported stolen, and the owner can be determined and located, arrangements should be made to return the property to the owner as soon as possible.
- C.** A copy of the BPD-02 shall be completed for any found property taken into the possession of an officer, unless the owner is located immediately and the property returned to the owner at the scene.



- D.** When the found property is returned to the rightful owner, the officer shall have the owner sign the back of the BPD-08 certifying ownership and receipt of the property. The officer shall forward the Property Record to the Property Evidence Unit.
- E.** If the found property cannot be returned to the owner before the recovering officer goes off duty, the property shall be tagged and turned over to the Property and Evidence Unit.
- F.** A copy of the completed BPD-02 shall accompany the property if it is turned over to the property clerk or placed in an evidence locker. If the property is too large to be stored inside the police building, it should be placed in an exterior storage facility and the copy of the BPD-02 placed in the evidence locker key drop with a notation of the location of the property.
- G.** Property brought into the police building will not be stored or left in hallways, corridors, offices, locker rooms, or any other area that is not specifically designated for property or evidence storage except for limited durations of time while the property or evidence is being marked, examined, photographed, fingerprinted, or otherwise processed.
- H.** The property of a deceased or incapacitated person that comes into the possession of an officer shall be handled in the same manner as found property, except that it may be released to the next-of-kin of the owner unless it is needed for investigative purposes. In that case, the property of the deceased shall be handled as evidence.
- I.** The recovering officer shall prepare an incident report concerning any found property. The report will include a full description of the property, location found, disposition of the property and details concerning any efforts made to locate the owner.
- J.** Found street signs, traffic signs, or other traffic control devices belonging to the City of Bryan that are not evidence shall be deposited at the city transportation department. A Property Record is not necessary.
- K.** The Property and Evidence Unit shall make disposition of all property according to the guidelines established in the current Texas Code of Criminal Procedure.
- L.** At least one week prior to destroying or auctioning of property for which an owner has not been identified, the Property and Evidence Unit shall run a computer check by serial number and/or other assigned number to determine if the property has been reported stolen since the date of recovery. If the item is found to have been reported stolen, the Criminal Investigative Division of the appropriate agency will be notified, and arrangements made for disposition of the property.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 23, 1991	<b>NUMBER</b> 08-08.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Prisoner Property	<b>CALEA</b>
<b>SUBJECT</b> Prisoner Property		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the care and control of prisoners' property.

**II. POLICY**

Members shall make all reasonable efforts to care for and safeguard the personal property of arrested persons who are in custody of this Department.

**III. PROCEDURES**

- A.** When a prisoner is booked into a detention facility, the arresting officer shall be responsible for collecting any valuables and other property in the prisoner's possession unless that responsibility is assumed by another person, i.e. a booking officer, jailer, etc.
- B.** When booking a prisoner, officers shall also remove from the prisoner's possession, any item that the prisoner might be able to use to injure themselves or another person, i.e. shoelaces, belts, etc.
- C.** Any property removed from any prisoner shall be accounted for and noted on the arrest report. Sums of money or other valuables which are in dispute as to amount shall be addressed in the presence of a witness, preferably a supervisor. Both the officer and the witness will sign as receiving the listed property.
- D.** The prisoner shall be requested to sign the completed property list. If the prisoner refuses to sign the property list, the officer shall indicate the refusal to sign on the form. If possible, a witness should also sign the form.
- E.** Under no circumstances will a prisoner's property be left unattended. Should an officer be required to leave the actual location of the property, he/she will secure the property before doing so.
- F.** Upon release from custody, a prisoner shall be required to sign for the receipt of his/her property.

- G.** Officers leaving property with another agency, or at a location other than the Bryan Police Department, will indicate on the arrest record property section the location and the name of the person with whom the property was.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> March 23, 1992	<b>NUMBER</b> 08-09.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Forfeiture Contraband	<b>CALEA</b>
<b>SUBJECT</b> Forfeiture of Contraband		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to outline procedures for the processing of contraband that is subject to seizure and forfeiture under the Code of Criminal Procedure, Chapter 59.

**II. DEFINITIONS**

**Contraband** – Property of any nature, including real, personal, tangible, or intangible, that is subject to seizure and forfeiture under Chapter 59 of the Texas Code of Criminal Procedure.

**III. POLICY**

This Department has entered into a local agreement with the Brazos County Attorney’s Office regarding disposition of forfeited contraband seized under Chapter 59 of the Texas Code of Criminal Procedure. Such contraband shall be seized and processed in the manner prescribed by the code of Criminal Procedure, the local agreement and this directive.

**IV. PROCEDURES**

**A. Responsibilities of Seizing Officer**

1. Any officer who seizes contraband under Chapter 59 of the Texas Code of Criminal Procedure shall complete the appropriate “Asset Forfeiture Form” in addition to any other necessary reports.
2. The “Contraband Seizure Report” shall be submitted to the Property/ Evidence Unit along with the seized contraband and any required attachments. The contraband shall be property indexed according to General Order 08-05 (Collection and Preservation of Property and Evidence).
3. The officer submitting the “Contraband Seizure Report” shall attach a sworn notarized affidavit to the report which includes:
  - a. An acknowledgment that the affiant officer seized the contraband in question.
  - b. The reason for seizing the contraband.
  - c. A schedule of contraband seized for forfeiture.



**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<p align="center"><b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b></p>	<p><b>ISSUE DATE</b> February 21, 2002</p>	<p><b>NUMBER</b> 08-10.1</p>
<p align="center"><b>CATEGORY</b> Auxiliary &amp; Technical Services</p>	<p><b>INDEXED AS</b> Mobile Video Tape Video/Audio Tape</p>	<p><b>CALEA</b></p>
<p align="center"><b>SUBJECT</b> Mobile Video/Audio Tape Management</p>		
<p align="center"><b>AUTHORIZING SIGNATURE</b> Original with signature on file</p>		

**I. PURPOSE**

The purpose of this directive is to establish procedures for the management of mobile video/audio tapes.

**II. POLICY**

It is the policy of the Bryan Police Department to carefully secure and maintain all items of evidence and/or other property entrusted to our care. To maintain the security and integrity of the tapes used for mobile video/audio recordings, officers will follow the procedures as set forth in this policy.

**III. PROCEDURES**

- A.** The Property/Evidence Technician will ensure that an adequate supply of blank VHS tapes is maintained in a designated file cabinet drawer in the Patrol Sergeant's office. These tapes will be labeled "Property of the Bryan Police Department" and will be labeled with a unique identifying number. These are the only tapes authorized for use in the Bryan Police Department mobile video camera systems.
- B.** Audio tapes for the motorcycle units will be maintained in a designated secure area within the office of the Traffic Safety Unit. The tapes will be labeled with a unique identifying number. The officer will provide all the required information in the Audio Tape Log that will be kept in the same area as the blank tapes.
- C.** Officers will log out a blank tape at the beginning of their shift. The officer will provide all the required information in the Mobile Video Tape Log. The log will be kept in the same area as the blank tapes.
- D.** If, during a shift, an officer documents any type of evidence on a mobile video tape, the tape will be property indexed and logged into the evidence in accordance with General Order 08-05 (Collection and Preservation of Property and Evidence) and noted in the officer's report.

- E.** Should a mobile video tape be left at the Brazos County Sheriff's Office DWI processing room as evidence or indexed into Bryan PD Property/Evidence, the officer will log where the tape was left and log out another tape before going back on patrol.
- F.** Tapes left in the DWI processing room should be labeled on the tape according to the instructions displayed in the DWI processing room.
- G.** At the end of shift, mobile video tapes that do not contain evidentiary video will be dropped in the tape drop slot of the Mobile Video Tape Storage Room.
- H.** Officers will indicate on the Mobile Video Tape Log the date, time, and final disposition of every tape they use during a shift.
- I.** The intake Assistant will transfer data from the Mobile Video Tape Log into an electronic database for easier retrieval of information.
- J.** Property/Evidence Technicians will ensure that mobile video tapes dropped in the Mobile Video Tape Storage Room are stored for ninety (90) days. After ninety (90) days, the technician will remove tapes from storage, erase them with a professional quality degausser and make them available for re-use.
- K.** Access to the Mobile Video Tape Room will be limited to authorized personnel only, to include Property/Evidence Technicians, the Professional Standards Unit Sergeant/Lieutenant, Bureau Commanders, and the Chief of Police.
- L.** If a tape needs to be removed from the Mobile Video Tape Storage Room for any purpose before the end of the ninety (90) day period, it must be logged out by a Property/Evidence Technician.
- M.** The only personnel authorized to log out a mobile video tape during the ninety (90) day storage period are:
  - 1.** The Chief of Police
  - 2.** Bureau Commanders
  - 3.** Professional Standards Unit Officers
  - 4.** Division Lieutenants
  - 5.** Unit Sergeants

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**



<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> September 1, 1991	<b>NUMBER</b> 08-11.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b> Pseudonyms	<b>CALEA</b>
<b>SUBJECT</b> Use of Pseudonym for Victims of Sexual Assault		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the use of pseudonyms by victims of sexual assault.

**II. DEFINITIONS**

**Real name** – The legal name of a person.

**Pseudonym** – A set of initials or a fictitious name chosen to designate the victim of a sex offense in all public files and records concerning the offense, including police reports, press releases, and records of judicial proceedings.

**Victim** – A person who was the subject of an offense or attempted offense under Section 22.011 or Section 22.021, Texas Penal Code.

**III. POLICY**

In compliance with Article 57.01 of the Texas Code of Criminal Procedure, it shall be the policy of this Department to protect the true identity of all persons who are found to be or purport to be a victim of an offense under Section 22.011 (Sexual Assault) or Section 22.021 (Aggravated Sexual Assault) of the Texas Penal Code. This policy shall be accomplished according to the procedures established in this directive.

**IV. PROCEDURES AND RESPONSIBILITIES OF THE INVESTIGATING OFFICER**

**A. Pseudonym Form**

1. The officer who conducts the preliminary investigation of a sexual assault or aggravated sexual assault shall advise the victim that they may (at any time) designate that a pseudonym be used in all public files to take the place of their real name, address, and phone number.
2. If the victim elects to use a pseudonym, the pseudonym for sexual assault survivors shall be used.

3. In the space labeled PSEUDONYM, the officer shall write the date of the offense and the victim's true date of birth. (Example: 012591 - 082163)
4. The victim may indicate other agencies or persons to which his/her real identity may be released by the Department by writing "Yes" or "No" in the space provided in the middle section of the form,
5. The victim must sign and date the form on the signature line provided.
6. The officer shall give the yellow copy of the pseudonym form to the victim. The white original page of the form shall be attached to the completed offense report form.

**B. Offense Report when Pseudonym is Requested**

1. On the offense report form, the investigating officer shall not use the victim's true name, address, or phone number. In the complainant information section, for the complainant's name, the officer shall write the word "Pseudonym" followed by the date of offense and the victim's date of birth. (Example: Pseudonym - 012591 - 082163)
2. In lieu of the victim's real address and phone number, the officer shall use the police department's address and CID phone number: 301 S. Texas Ave. - 209-5316.
3. The exact location of the offense will be listed on the offense report.
4. The officer will need to determine the reporting district in which the offense occurred and complete that block on the offense report. The reporting district can be obtained from dispatch.

**C. Probable Cause Statement when Pseudonym is Requested**

1. In the event that a suspect is arrested at the time of the offense or an investigator develops sufficient information to apply for a warrant of arrest, the victim will be referred to in the probable cause statement by the pseudonym in the original offense report.
2. The actual location of the offense shall be shown on the probable cause statement.

**D. Follow-Up Investigation when Pseudonym is Requested**

1. Even though investigators will have access to the victim's true name and address, investigators shall not refer to the true name and address in any investigative reports. Investigators shall use the pseudonym designators to refer to the victim.

**V. CONFIDENTIALITY**

- A.** The Chief Records Clerk shall ensure that the Records Section maintains pseudonym forms in a manner that protects the confidentiality of the information on the form.
- B.** No member of the Department shall intentionally or knowingly disclose the real name, address, or telephone number of a victim of a sexual assault or aggravated sexual assault, except to those persons authorized to receive that information.

- C. (A violation of this section may result in criminal penalties as well as Departmental disciplinary action.)

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> January 1, 1995	<b>NUMBER</b> 08-12.1
<b>CATEGORY</b> Records	<b>INDEXED AS</b> Convenience Store Theft Reporting  Misdemeanor Theft Self Report Format	<b>CALEA</b>
<b>SUBJECT</b> Convenience Store Theft Reporting		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure concerning the reporting of thefts under \$50.00 value by convenience store employees.

**II. POLICY**

In order to provide the most efficient use of manpower in the deployment of patrol personnel it is the policy of the Bryan Police Department to permit convenience store employees to mail in reports of Theft less than \$50.00. This will be accomplished by the use of a form provided by the Department. (See attachment.)

**III. PROCEDURES**

**A. Store Employee Responsibilities**

1. Upon the occurrence of a theft of property the value of which is less than \$50.00, the store clerk or employee will notify the communications center of the property stolen, a description of the actor(s), direction of travel, and vehicle involved, if any.
2. The clerk will obtain from the communications center the sequence number of the call. The clerk will place the sequence number in the appropriate location on the Convenience Store Theft Report. The clerk will then complete the remainder of the form, including as much information as possible.
3. If the offender is apprehended at the time the call is dispatched, the clerk will complete the form and give it to the responding or arresting officer. If the offender is not apprehended, the clerk will mail the form to the Department.

**B. Communications Center Responsibilities**

1. Dispatchers receiving a call from a convenience store of a theft, just occurred, shall obtain a description of the actor(s), the item(s) stolen, direction of travel and a description of the vehicle used, if any.

2. The dispatcher will broadcast the information to all units and assign the nearest available unit to respond to the area of the theft to attempt to locate the offender.
3. The dispatcher will give the sequence number of the call to the store clerk to be included on the Convenience Store Theft Report.

#### **C. Responding Officer Responsibilities**

1. Upon being dispatched to a convenience store theft, less than \$50.00 value, the officer will proceed directly to the area and begin a random search for any suspect fitting the description given by dispatch personnel.
2. If the officer locates a suspect fitting the description, he/she is to be returned to the store for identification purposes unless they are a juvenile, in which case they are not to be returned to the store.
3. If the suspect is identified, the officer is to issue a citation and follow the procedures as in any other Class C situation. The store clerk is to deliver to the officer the completed Convenience Store Theft Report at that time.
4. If no suspect is located, the officer is to return in service and notify dispatch personnel of same.

#### **D. Records Division Responsibilities**

1. Upon receiving a Convenience Store Theft Report by mail the clerk will forward the report to the on-duty patrol supervisor. The supervisor will be responsible for acquiring a case number and assigning the report for follow-up investigation by a patrol officer, if it appears that enough information is provided.
2. If there is insufficient information for a follow-up investigation, as determined by the patrol supervisor, the Convenience Store Theft Report will be returned to records with a case number assigned and entered as is.
3. If sufficient information exists to conduct a follow-up investigation, the officer conducting the follow-up will complete a BPD-02 (offense report) using the information contained on the Convenience Store Theft Report and including all steps taken during the subsequent investigation. This will then be returned to records, after being reviewed by a patrol supervisor, for entry as would any other offense report.

#### **E. Supervisor Responsibilities**

1. Upon receiving a Convenience Store Theft Report, the supervisor will review the report and determine if sufficient information exists for a follow-up investigation.
2. If sufficient information is evident, the supervisor will assign a patrol officer to conduct a follow-up investigation with the desired result being the identification of the offender(s) and the filing of appropriate charges.
3. If there is insufficient information for follow-up the supervisor will obtain a case number, place it on the Convenience Store Theft Report, assign the case status "C", initial the

report, and return it to records for entry as is with the narrative provided by the clerk serving as the narrative for data entry.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b> December 06, 2004	<b>NUMBER</b> 08-13.1
<b>CATEGORY</b> Auxiliary & Technical Services	<b>INDEXED AS</b>	<b>CALEA</b> 81.2.9 82.3.8
<b>SUBJECT</b> TLETS Operations		
<b>AUTHORIZING SIGNATURE</b> Original with signature on file		

**I. PURPOSE**

The purpose of this directive is to establish policy and procedure regarding TLETS terminal operations.

**II. DEFINITIONS**

**Full Access Terminal Operator** - Persons authorized to access or initiate transmission of TCIC/NCIC information, to include all NCIC/TCIC functions. This includes inquiry, entry, modification, clearing, canceling and III (Interstate Identification Index) functions.

**Less Than Full Access Terminal Operator** - Persons authorized to access or initiate transmission of TCIC/NCIC information at any level lower than Full Access. Generally, this pertains to inquiry only, including MDT and Laptop computer users.

**National Crime Information Center (NCIC)** - NCIC is a nationwide computerized information system established as a service to criminal justice agencies: local, state, and federal. NCIC provides documented criminal justice information to these agencies.

**ORI** – Term used by TLETS to signify **originating** agency identifier.

**Terminal Agency Coordinator (TAC)** – Person designated by the Chief of Police as responsible for ensuring compliance with NCIC/TCIC policy and act as a liaison between the Department and the Crime Record Section of the Texas Department of Public Safety.

**Texas Crime Information Center (TCIC)** – TCIC, located at the Texas Department of Public Safety headquarters, is a statewide information database. TCIC operates under the same policies and guidelines, with the same purposes and goals, as NCIC.

**Texas Law Enforcement Telecommunications System (TLETS)** – Computer network through which NCIC and TCIC computers operate. Data obtained over TLETS may only be disseminated to authorized criminal justice agencies

**III. POLICY**

It is the policy of the Bryan Police Department that all operations involving the Texas Law Enforcement Telecommunications System (TLETS) shall be conducted in accordance with the regulations established by the Texas Department of Public Safety. All transactions on the system shall be performed by personnel authorized to do so according to the procedures established in this directive.

## **IV. PROCEDURES**

### **A. TERMINAL AGENCY COORDINATOR (TAC)**

1. TLETS terminal operations shall be coordinated by the TAC.
2. The Terminal Agency Coordinator's duties shall include:
  - a. Ensure the TCIC/NCIC Operating Manual and NCIC Code Manual are current and updated as necessary and are available to all operators.
  - b. Ensure TCIC Newsletters are reviewed by all parties using TCIC/NCIC.
  - c. Ensure all TLETS terminals are secure from unauthorized use.
  - d. Ensure all personnel authorized to access the TCIC/NCIC/ TLETS system are trained in TCIC/NCIC use, policy, and procedures.
  - e. Ensure all Quality Control messages from TCIC/NCIC are reviewed and corrected as soon as possible.
  - f. Ensure all TCIC/NCIC records are validated correctly each month and the signed certification letter is returned to the Crime Records Service / TCIC Control Terminal within the specified time.
  - g. Ensure all intake specialists are trained in TCIC/NCIC Hit Confirmation procedure and that all original warrants and original or updated copies of theft reports that document all TCIC/NCIC records are available 24 hours a day, 7 days a week.
  - h. Ensure all TCIC/NCIC record entries are checked by a second person.
  - i. Ensure all Department personnel are aware that TCIC/NCIC Computerized Criminal History (CCH) information is confidential and restrictions apply to the purposes for which it can be requested and how it may be disseminated.
  - j. Ensure the Department has written policies regarding TCIC/NCIC issues.
  - k. Advise DPS / CRS of any change in the Department's TAC, administrator, address, or telephone number.
  - l. Ensure the Department's NCIC "QO" file (ORI information) is correct and updated as necessary.

### **B. TLETS TERMINAL OPERATORS**

1. The following personnel shall be trained as full access TLETS operators:
  - a. Terminal Agency Coordinator;
  - b. Secretaries and clerks assigned to C.I.D.;
  - c. Clerks assigned to the Records Section;
  - d. Intake specialists; and
  - e. Other personnel authorized by the Chief of Police.
2. All other personnel authorized for TLETS shall be less than full access operators.
3. TLETS operators will be provided with the training mandated by DPS.
4. Only authorized personnel shall be permitted to perform TLETS operations.
5. Eligibility requirements for TLETS operators include:
  - a. Pass a criminal history background and wanted check;
  - b. Pass a drug test before hire;
  - c. Have a Confidentiality agreement in file;



- d. Fingerprint card submitted to Texas DPS;
- e. Any other requirement(s) established by TLETS regulations or Departmental policy.

### **C. TLETS REQUESTS**

1. Routine inquiries by officers in the field for vehicle registration, driver license information, wanted persons, stolen property, etc. shall be directed to Dispatch via radio or Mobile Data Computers (MDCs).
2. All other TLETS requests shall be directed to authorized TLETS operators within the Department in the following order depending on availability:
  - a. Criminal Investigation Division secretary or clerk;
  - b. Intake specialists;
  - c. Telecommunications operators.
3. TLETS requests will be directed to Dispatch personnel only as a last resort when the request can not be delayed.
4. Non-priority TLETS requests may be left in a basket designated for that purpose at the appropriate location.
5. Priority TLETS requests should be delivered in person to the appropriate TLETS operator to ensure that the request is handled expeditiously.
6. TLETS requests shall be submitted in writing on the TLETS REQUEST FORM (BPD Form 109). (This does not apply to routine inquiries by radio.)
7. The TLETS operator who handles the request shall complete the section of the form restricted for TLETS OPERATOR USE ONLY.
8. The TLETS operator shall attach a printed copy of the TLETS message to the request form and file in the appropriate file.

### **D. OFFICER / INTAKE SPECIALIST RESPONSIBILITIES**

1. The officer, investigative assistant, or intake specialist handling an incident concerning a stolen vehicle, stolen license plate, runaway, missing person, or stolen article with a serial number, shall be responsible for submitting a TLETS request to have the vehicle, plate, article, or person entered into or removed from the system if there is sufficient information to do so. These requests shall be submitted as soon as possible after the incident is handled. The request must be submitted prior to the individual going off duty.
2. Criminal investigators assigned to investigate cases involving stolen property, stolen vehicles, stolen license plates, runaways, and missing persons shall ensure that the item was initially entered into TLETS and removed from TLETS when recovered or located, if applicable.
3. The C.I.D Lieutenant shall ensure that property is entered, if applicable, for cases not assigned to an investigator.
4. Officers who obtain arrest warrants for any felony, Class A, or Class B misdemeanor offense shall be responsible for having the warrant entered in TCIC/NCIC within twenty-four hours of receiving the warrant if it is not executed prior to that deadline. These warrants are maintained by the Brazos County Sheriff's Office. Extradition limitations and/or special instructions, if applicable, shall be noted with the Sheriff's personnel

receiving the warrant. A completed and signed transfer slip (BPD Form 112) for the warrant shall be obtained and submitted to the Bryan Police Records department.

5. Officers who execute a felony, Class A, or Class B misdemeanor arrest warrant shall be responsible for submitting a TLETS request to have the warrant removed from NCIC/TCIC.
6. Any TLETS request made by an officer should be documented in a report or supplement to the related case report.

#### **E. TLETS OPERATOR RESPONSIBILITIES**

1. TLETS operators, as applicable, shall be responsible for the accurate and timely handling of all TLETS requests submitted to them.
2. TLETS operators shall conform to all DPS policies and procedures concerning the operation of a TLETS terminal.
3. TLETS operators shall attach a printed copy of each message, entry, removal, etc. to the TLETS request form upon completion of the request. The request form shall be forwarded to the Terminal Agency Coordinator for filing.
4. TLETS operators shall refer any problems concerning TLETS operations to the Terminal Agency Coordinator.
5. After performing a TLETS request, the TLETS operator shall file a supplemental report to the related case report indicating the TLETS action taken and shall make an entry in the appropriate TLETS log.

#### **F. TLETS PRINTER**

1. The primary TLETS printer shall be maintained in the intake specialist office.
2. Intake specialists are responsible for monitoring all messages received over TLETS and taking appropriate action or referring the message to the appropriate person when necessary.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**

<b>BRYAN POLICE DEPARTMENT GENERAL ORDER</b>	<b>ISSUE DATE</b>	<b>NUMBER</b>
<b>CATEGORY</b>	<b>INDEXED AS</b>	<b>CALEA</b>
<b>SUBJECT</b>		
<b>AUTHORIZING SIGNATURE</b>		

**I. PURPOSE**

The "Purpose" line is a brief statement of intent and scope of the general order.

**II. DEFINITIONS**

The "Definitions" line contains precise statements of the meaning of words or expressions specific to that general order.

**III. POLICY**

The "Policy" line contains written statements of Department principles for the behavior of personnel; policy statements are general in nature, establishing the parameters of acceptable behavior.

**IV. RULE/REGULATION**

The "Rule/Regulation" line contains specific guidelines or requirements which must be adhered to by all employees.

**V. PROCEDURES**

The "Procedures" line contains written guidelines for performing a particular activity or proceeding under particular circumstances.

**Upon enactment, this directive will rescind and supersede any and all previous directives pertaining to this subject.**