



**GENERAL
ORDERS
MANUAL**

ACKNOWLEDGMENT FORM

I have read and understand the written directives contained in the Bowie County Sheriff's Office General Orders Manual.

Signed: _____ Date: _____

INTRODUCTION

The mission of the Bowie County Sheriff's Office is to preserve the peace, protect life and property, prevent and detect crime, to apprehend offenders and to provide safe, secure, and humane incarceration of inmates and to otherwise serve the citizens of Bowie County in a cost effective manner.

To achieve true success, the Sheriff's Office must win and retain the confidence and respect of the public we serve. This can be accomplished only by constant and earnest endeavor on the part of all employees to perform their duties in an honest, businesslike manner, and by their exemplary conduct.

It is not possible to anticipate every situation that may arise or to prescribe the specific action requisite for each situation. Therefore, some areas must necessarily be left to the intelligence and discretion of the employees. The employees entrusted with law enforcement must be relied upon to exercise good judgment and apply sound common sense at all times to ensure equitable and efficient law enforcement.

All employees are bound by these rules and regulations, regardless of the division they may be assigned. It shall be the duty of each employee to familiarize himself / herself with the content of these rules and regulations and to conduct himself accordingly.

Ignorance or misunderstanding of any provision of these rules and regulations will not be accepted as a defense in the event of disciplinary action for failure to observe the rules and regulations.

To accomplish this mission, a number of people and other resources must be directed and coordinated in an efficient manner to bring any problem or task to a successful conclusion. The contents of this manual are written to help achieve these objectives.

BOWIE COUNTY SHERIFF'S OFFICE CODE OF ETHICS

As a BOWIE COUNTY SHERIFF'S DEPUTY, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against intimidation or oppression, and the peaceful against violence or disorder; and to respect the Constitutional rights of all people to liberty, equality, and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the directives of the Bowie County Sheriff's Office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendship to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement service. I will remember the "Golden Rule" to treat others, as I would like for them to treat me in similar circumstances. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession --- law enforcement.

This CODE OF ETHICS is the philosophy of the Bowie County Sheriff and is primarily directed to sworn law enforcement personnel; but its principles apply to all civilian personnel too.

GOALS AND OBJECTIVES

The goals and objectives of the Bowie County Sheriff's Office are:

- A. Preserve the peace.
- B. Suppress crime.
- C. Execute all lawful process issued by the courts.
- D. Arrest offenders with or without warrant in every case authorized by law.
- E. Identify and apprehend persons who have committed crimes.
- F. Recover stolen property and return it to its rightful owners.
- G. Provide excellence in law enforcement through our devotion to duty.
- H. Dedicated to serving the citizens of Bowie County to enhance the lives of all.
- I. Provide safe, secure, and humane housing for all persons in the custody of Bowie County Sheriff's Office.
- J. Cooperate with other Criminal Justice agencies toward the accomplishment of mutual objectives.

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GENERAL MANUAL

Revised May 1, 2019

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WRITTEN DIRECTIVES

All directives affecting agency policy, procedures, conduct, rules, and regulations shall be accomplished in writing and disseminated to the affected personnel. Those directives shall govern the operation of the Bowie County Sheriff's office.

1. **GENERAL ORDERS:** A term used to describe permanent directives concerned with policy, rules, and procedures affecting more than one organizational component.
2. **SPECIAL ORDERS:** A directive affecting a specific segment or segments of the organization, or a statement of procedure regarding a special circumstance or event that is of a temporary nature.
3. **INSTRUCTIONAL MATERIAL:** Training guides, bulletins or updates.
4. **MEMORANDUM:** An informal, written document that may or may not convey an order. It is generally used to clarify, inform or inquire.
5. **WRITTEN DIRECTIVE:** Any written documents used to guide or affect the performance or conduct of agency employees. The term includes general orders, special orders, instructional material, memoranda, policies, procedures, rules, and regulations.
6. **POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures and rules and regulations.
7. **PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of "shall" rather than "should" or "must" rather than "may". Procedures sometimes allow some latitude and discretion in carrying out an activity.
8. **RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

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B. GENERATING DIRECTIVES OR REVISIONS

1. Each Division Commander within the agency is tasked with the Management responsibility to develop Written Directives that contain policy guidelines of the Division's activities.
2. The Division Commander is responsible to ensure that all sections designated as the Division's responsibility are kept current and that changes are distributed to all employees in a timely manner.
3. The Division Commander will submit draft changes to the Chief Deputy for review and recommendations. The draft will then be submitted to the Sheriff for final approval or disapproval.

C. REVIEW AND APPROVAL

1. ONLY the SHERIFF may APPROVE Agency General Orders and Special Orders. In the event of an emergency situation, any member of the Agency holding the rank of Sergeant or higher may issue a DIRECTIVE to the employees in their area of responsibility.
2. Once annually a review of all written directives will be conducted. Division Commanders will submit written notice to the Chief Deputy that The review was conducted and attach any draft changes, if appropriate. The Chief Deputy will then forward the review to the Sheriff.

D. DISTRIBUTION AND RESPONSIBILITY FOR MANUALS

1. Each member of the Bowie County Sheriff's Office will be issued an up-to-date copy of the Manual.
2. Each member of the Agency is responsible for keeping up-to-date on all policies and procedures. IT IS THE RESPONSIBILITY OF EACH MEMBER OF THE BOWIE COUNTY SHERIFF'S OFFICE TO READ AND BE FAMILIAR WITH THE CONTENTS OF THE MANUAL.

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SHERIFF'S OFFICE ORGANIZATION

The Bowie County Sheriff's Office is composed of three (3) Divisions. All Divisions are under the command of the Sheriff and Chief Deputy. The Operations Division and the Criminal Investigation Division are each commanded by a captain. The Warden heads the Jail / Detention Division.

A. OPERATIONS DIVISION

1. PATROL deputies are assigned to one of the following shifts: A Days, A Nights, B Days or B Nights. Each Shift is commanded by a Lieutenant or a Sergeant. Their primary responsibility is to respond to calls for service, preliminary investigations, report taking, the prevention and detection of criminal offenses, courthouse security and other responsibilities assigned by higher authority.
2. CIVIL PROCESS/COURT/TRANSPORT/EXTRADITION/MENTAL COMMITMENTS is commanded by a Lieutenant and is assisted by civil, court, & transport deputies. This Sections responsibility is to receive, process, issue and serve all legal documents, including but not limited to writs, citations, subpoenas, jury notifications, judicial executions, extradition of criminal suspects, transport mental patients, transport prisoners to medical facilities, transport prisoners to court, maintenance of agency owned vehicles, other Agency owned equipment and other responsibilities assigned by higher authority.
3. CIVILIAN PERSONNEL consisting primarily of secretaries. Their responsibilities vary with their individual assignments. Which may include inmate trust funds, other financial duties, civil process, courthouse security, reports, and front desk duties of helping, greeting visitors to the Sheriff's Office and other responsibilities assigned by higher authority.
4. TRAINING/BASE consists of a lieutenant whose primary duty is to schedule all training, keep all training records updated, teaches BASE in local county schools, and other responsibilities assigned by higher authority.

B. CRIMINAL INVESTIGATION DIVISION

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1. CID is composed of a Captain and Investigators whose responsibilities are to investigate crimes against persons, property, narcotics, juvenile, vice operations, and other responsibilities assigned by higher authority.
2. PROPERTY SECTION consists of an employee whose responsibility is the preservation of evidence and seized property and other responsibilities assigned by higher authority.

C. JAIL / DETENTION DIVISION

Bowie County has contracted with the private company of LaSalle Southwest Corrections to operate the Bowie County Correctional Center Annex and the Bi-State Justice Center Jail. The LaSalle Warden reports to the Sheriff.

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COMMAND STRUCTURE

The Bowie County Sheriff's Office is paramilitary in structure. The supervisory positions are appointed at the discretion of the Sheriff.

A. RANK

1. The order of rank for the Sheriff's Office is:
 - a. Sheriff
 - b. Chief Deputy
 - c. Captains
 - d. Lieutenants
 - e. Sergeants
2. The Command Staff of the Bowie County Sheriff's Office is defined as a member having the rank of Captain or higher.
3. Non-supervisory commissioned personnel have no command authority over non-commissioned personnel merely by virtue of their commissioned status.
4. Non-supervisory officers designated as Training Officers have command authority only over the trainees assigned to them for training.

B. SUCCESSION

1. Should the Sheriff become incapacitated through illness, death, or for any other reason, or otherwise unavailable to perform the duties of his office; the Chief Deputy will preside over the Agency until otherwise prescribed by State Law or the Bowie County Commissioner's Court.
2. Supervisory personnel should not assume command outside their organizational section unless failure to do so would seriously endanger the Sheriff's Office operational capabilities.
3. Personnel should be accountable to only one Supervisor at any given time. Normally this will be their immediate Supervisor.
4. Responsibilities should be delegated to the lowest level possible.

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- a. All personnel shall exercise such authority as is commensurate with their responsibility.
 - b. All Personnel shall be responsible for that authority which is delegated to them and shall be held accountable for the exercising of that authority.
 - c. Supervisory personnel at each level shall be responsible for the performance of employees under their control.
5. All personnel shall promptly obey any lawful order. Orders conflicting with previous commands, or with written directives, shall be called to the attention of the issuing authority. If there is no alteration or retraction, the last order shall stand.
 6. Orders from a higher ranking officer that are relayed by an officer of the same or lesser rank shall be obeyed.

C. SUPERVISORY DUTY

1. The Supervisor on duty is responsible to ensure that the Sheriff and Command Staff are contacted and advised of major incidents.
 - a. Suspicious deaths and suicides
 - b. Critically missing persons
 - c. Officers injured on duty requiring medical treatment.
 - d. Officers seriously injured while off duty.
 - e. Suspects seriously injured by officers
 - f. Officer involved shootings
 - g. Natural Disasters and Hazardous Materials incidents requiring response from the Sheriff's Office.
2. Supervisors are responsible to train, guide, direct, council, and control officers under their supervision.

D. STAFF MEETINGS

1. It is the Sheriff's Office Policy to maintain good internal communications and to encourage full cooperation among all personnel.
2. Regular meetings will be held with all supervisory personnel at times and locations designated by the Sheriff. Supervisors are to pass on to their subordinates any pertinent information and ensure that any new information flows back up the chain-of-command.

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LIMITS OF AUTHORITY

Peace Officers must be allowed to have freedom to make decisions, or use discretion, in the performance of their duties. However, there must be Sheriff's Office guidance, which aids the deputies in making their decisions.

The nature of law enforcement makes it extremely difficult to address every situation a deputy will encounter. With that in mind, the following policies are designed to give guidance to general enforcement activities of the Bowie County Sheriff's Office.

A. TRAFFIC ENFORCEMENT

1. Traffic enforcement is not the primary function of this Office, however when a serious violation occurs that exposes people or property to injury or damage, the appropriate enforcement option may be a citation or arrest.
2. When a violation occurs and it is apparent that it is a "deliberate and malicious act" without regard for the safety of others, the appropriate enforcement option should be a citation or if justified a custodial arrest.
3. Custodial arrest of the offender should be considered the appropriate action to be taken in the Following situations:
 - a. When the offender demands an immediate appearance before a magistrate.
 - b. When the offender is arrested upon a charge of negligent homicide or manslaughter.
 - c. When the offender is arrested upon a charge of driving while under the influence of intoxicating liquor or narcotic drugs.
 - d. When the offender is arrested upon a charge of failure to stop and render aid in the event of an accident causing death or personal injuries to any person.

B. PUBLIC INTOXICATION

When persons are found to be intoxicated in a public place to the point that they present a danger to themselves and others, the appropriate enforcement option is

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custodial arrest, or release in accordance with Art. 14.031. Texas Code of Criminal Procedure.

C. ALTERNATIVES TO CUSTODIAL ARREST (NON-TRAFFIC)

1. Deputies may encounter situations where it is more practical to release the accused with a citation rather than make a custodial arrest. The following criteria must be met before the deputy may issue a citation and release the accused:
 - a. The offense is a Class C misdemeanor.
 - b. The deputy is able to satisfactorily identify the offender by a good photo identification, i.e. Texas Drivers License, Texas ID Card, etc., which shows the offender to be a resident of the State of Texas.
 - c. The offender has no outstanding warrants.
 - d. The offender is not known to be a repeat offender based upon the Deputy's personal knowledge or other such information as may be obtained and which is believed to be true.
 - e. The offender **MUST SIGN** the promise to appear.
2. An offense report shall be completed in accordance with normal procedure when the deputy chooses to issue a citation rather than make a custodial arrest in non-traffic situations. The CCN number will be recorded on the citation. The citation will be turned in with the offense report.

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USE OF FORCE

(Revised 01-22-19)

In law enforcement, situations can arise where the use of force may be necessary. Federal and state laws have been established to provide peace officers with a general idea of the instances and conditions under which the use of force is permissible.

Although the use of force is permitted by law and Sheriff's Office policy, the use of unnecessary or unreasonable force will not be tolerated. A deputy may use reasonable force to overcome resistance to the lawful performance of duties, even though there is no immediate or apparent danger calling for self-defense. The deputy must be acting within his authority. The deputy shall identify himself as a peace officer and state his purpose to the offender and to others immediately present, unless he reasonably believes his purpose and identity are already known or cannot reasonably be made known. Every reasonable opportunity to comply with the deputy's request must be given to the person being arrested. When force is warranted, the degree of force utilized should follow the continuum from least to most severe. This is not to say that a more severe degree of force cannot be utilized immediately should the circumstances require such.

A. Reasonable Force

1. Deputies engaged in the performance of their duties are authorized to use reasonable force when:

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- i. It is necessary to preserve the peace, prevent the commission of an offense, and prevent suicide or any self-inflicted injury
- ii. Overcoming resistance to lawful arrests and searches
- iii. Preventing escape from custody
- iv. In self-defense, defense of another or against violent behavior

B. Degree of Force

1. The degree of force which may be employed is determined by the circumstances, including but not limited to:
 - i. The nature of the offense
 - ii. The behavior of the subject against whom force is used
 - iii. Actions by third parties who may be present
 - iv. The feasibility or availability of alternative action

C. Force Continuum

1. Command presence and verbalization
2. Physical strength and skill
3. Approved chemical agents or conducted energy weapon
4. ASP baton
5. Approved deadly force

D. Command Presence and Verbalization

1. In most instances, the presence of a deputy and verbalization of his instructions is enough to control a situation and persuade those involved to comply.

E. Physical Strength and Skill

1. In some instances, deputies may be required to use physical strength and skill to control a violent person.

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F. Oleoresin Capsicum (OC) Spray

1. To facilitate the arrest and control of resisting or violent subjects, deputies have been issued Oleoresin Capsicum (OC) spray, an aerosol restraint agent which has been approved by the Sheriff. OC agents are considered non-deadly force and provide the deputy with an acceptable alternative to prolonged hand-to-hand combat or the use of the baton, thereby reducing the possibility of serious injury. Deputies are reminded that any force used must be reasonable and take into consideration the totality of the circumstances.
 - i. Whenever practical and reasonable, deputies should issue a verbal warning prior to using OC spray against a subject. Use of OC spray should be avoided, if possible, under conditions where it may affect innocent bystanders. OC spray may be used when:
 - a. Verbal dialogue has failed to bring about the subject's compliance, and the subject has signaled his intention to actively resist the deputy's efforts to make the arrest.
 - ii. Deputies should maintain a safe distance of between two and ten feet from the subject. Whenever possible, Deputies should be upwind from the subject before using OC spray and should avoid entering the spray area. Deputies must be alert to wind direction and location of other deputies or officers to avoid incapacitating them.
 - iii. A single spray burst of between one and three seconds should be directed at the subject's eyes, nose and mouth. Additional bursts may be used if the initial burst proves ineffective. Once a subject is incapacitated or restrained, use of OC spray is no longer justified.
 - iv. Subjects who have been exposed to OC spray may display some or all of the following effects:
 - a. Twitching or involuntary closure of the eyes
 - b. Respiratory inflammation indicated by coughing, shortness of breath, or gasping for breath
 - c. Skin inflammation, including redness and burning sensation on exposed skin
 - d. Nausea or gagging

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- v. Deputies should be alert for signs of asphyxiation, especially with heavily intoxicated or obese subjects. Deputies should be prepared to administer emergency first aid procedures until medical help can arrive. Deputies shall be aware of the life threatening hazards of positional asphyxiation and will not allow subjects who have been exposed to OC spray to lay face down. All subjects will be transported in the proper sitting position with the proper restraining equipment in use. Subjects who have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in the deputy's custody. Deputies should provide assurance to subjects who have been sprayed that the effects are temporary and encourage them to relax.
- vi. The effects of OC spray vary among individuals. Therefore, all subjects shall be handcuffed as soon as possible after being sprayed. If the subject does not respond sufficiently to the spray and cannot be otherwise subdued, deputies should also be prepared to employ other means to control the subject--to include, if necessary, other force options consistent with Sheriff's Office policy.
- vii. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. Decontamination of a person exposed to OC spray is accomplished by flushing the subject's eyes, face and affected skin with cool, running water. If the burning sensation continues, affected skin may be washed with soap and water. In some cases, it may be necessary to use ice to relieve persistent burning sensations. Decontamination of areas, such as rooms and vehicles, consists of ventilating the area by opening doors and windows for approximately thirty (30) minutes.

2. Reporting the Use of OC Spray

- i. All discharges of OC spray, whether intentional or accidental, shall be reported as soon as possible to the deputy's immediate supervisor.
- ii. A Use of Force Report shall be completed following all intentional discharges of OC spray.
- iii. When a deputy brings in a subject who has been sprayed with OC, regardless of whether it was intentional or inadvertent (i.e., overspray,

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windblown, etc.), the deputy will print in large letters "SPRAYED WITH OC" on the top of the arrest report prior to submitting the report to LaSalle personnel.

- iv. An Incident Report shall be submitted detailing all incidents of individuals accidentally exposed to OC spray.

3. Maintenance of OC Spray Canisters

- i. Each deputy is responsible for notifying his supervisor of the need for replacement of a damaged, inoperable, or empty canister. Unexplained depletion of OC spray canisters shall require a written report and investigation by the deputy's supervisor to the division commander.

G. Taser

1. The Taser has limitations and restrictions requiring consideration before its use. The Taser should only be used when its operator can safely approach the subject within the operational range of the device. Although the Taser is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options. Deputies shall always carry the Taser on the opposite side of their duty handgun.
2. The Taser may be used in any of the following circumstances, when the circumstances perceived by the deputy at the time indicate that such application is reasonably necessary to control a person:
 - i. The subject is violent or is physically resisting
 - ii. The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm deputies, him/herself or others
 - iii. Mere flight from a pursuing deputy, without other known circumstances or factors, is not good cause for the use of the Taser to apprehend an individual
3. The following are prohibited uses of the Taser:

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- i. Individuals who are covered in, or in close proximity to, any combustible material to include OC spray
 - ii. On visibly pregnant females, young children that reasonably appear under the age of 14 or less than 100 pounds, and frail or elderly persons, unless deadly force is otherwise justified and the Taser is used in an attempt to avoid the use of deadly force
 - iii. On handcuffed prisoners, except under exigent circumstances
 - iv. On a subject who is in control of a vehicle
 - v. On a subject in an elevated location and a risk of serious injury or death exists from their fall.
 - vi. To torture, psychologically torment, elicit statements or to punish any individual
 - vii. Horseplay or practical jokes
 - viii. Demonstrations, without the permission of a Captain, Chief Deputy or Sheriff
 - ix. Against passively resisting subjects
4. A verbal warning of the intended use of the Taser should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to:
- i. Provide the individual with a reasonable opportunity to voluntarily comply
 - ii. Provide other deputies and individuals with a warning that the Taser may be deployed.

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

5. Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the Taser probes to a precise target area, deputies should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.
6. Deputies should apply the Taser for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple

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applications of the Taser against a single individual are generally not recommended and should be avoided unless the deputy reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

7. Taser probes shall be removed as soon as possible. Taser probes embedded in a subject's skin shall only be removed by deputies who are trained in the removal of probes, emergency medical personnel and other medical personnel. Deputies shall not remove Taser probes that have struck a subject's head, throat, groin or any other sensitive area. Taser probes that have penetrated a subject's skin shall be treated as a biohazard and will be handled with the appropriate care. Every person subjected to a Taser activation should be closely monitored and transported to the nearest medical facility if they show any signs of physical distress.
8. All uses of a Taser will be reported to a supervisor as soon as possible. A use of force report shall also be completed detailing the reasons for the initial use and all subsequent cycles in the narrative. The deputy utilizing the Taser shall gather and preserve the following evidence:
 - i. Statements of witnesses, including other deputies or officers
 - ii. Photographs of the subject's injuries
 - iii. Photographs of any injuries to a deputy
 - iv. Photographs of cartridges and probes
 - v. Collect all spent cartridges, probes, data downloads (with the assistance of a supervisor, video and confetti ID tags)
9. The Taser may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

H. ASP Baton

1. The ASP baton may be used to subdue a violently resisting subject, in self-defense, or in defense of a third party. Deputies should use lesser methods of force to subdue the subject when possible. The use of the ASP baton is considered the most severe form of non-deadly force.

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2. The ASP baton is not designed to be used as a club or bludgeon and should not ordinarily be raised above the head to strike a blow to any person. Blows capable of inflicting permanent injury should be avoided, if possible. Blows delivered with an ASP baton should be short, quick and delivered only to the vulnerable areas of the body which would render the subject temporarily incapacitated.
3. Deputies shall not throw an ASP baton, flashlight, or any other object at a subject unless the possible injury inflicted by such use of force would be justified by law.
4. FLASHLIGHTS are not intended to be used as a weapon. Under exceptional circumstances deputies may use a flashlight to protect themselves or another person from serious bodily injury or death.

I. Use of Handcuffs

1. As a general rule, all prisoners should be handcuffed. There will, of course, be exceptions to this rule (dependent children, females with small children, pregnant women, physical impairments, etc.). However, deputies must keep in mind that all prisoners are potentially dangerous. The order of priority in the question of whether or not to handcuff is:
 - i. The safety of the deputies and the prisoner(s)
 - ii. Unusual circumstances involved
2. Deputies are reminded that the use of handcuffs constitutes the use of force. In all cases where handcuffs are used, the deputy will double lock the handcuffs to prevent the handcuffs from tightening and causing injury to the prisoner's wrists.

J. Deadly Force

1. Deadly force is force that is intended to cause, is known by the subject to cause, or in the manner of its use or intended use is capable of causing, death or serious bodily injury. The decision to use deadly force rests with each deputy and cannot be delegated. Deputies are authorized by Office policy to use deadly force in self-defense, or in defense of a third party, when it reasonably appears that there is imminent danger of serious bodily injury or death.

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2. Examples of deadly force are:
 - i. Discharge of a firearm at a person
 - ii. Carotid hold (choke hold)
 - iii. Vehicular force

3. In all instances involving the use of deadly force, the deputy involved shall immediately notify his supervisor, who shall then notify the division commander. The division commander will notify the Chief Deputy and the Sheriff.

K. Discharge of Firearm

1. Firearms shall not be discharged for any of the following reasons:
 - i. As a warning.
 - ii. In a misdemeanor case, unless in defense of life or to prevent serious bodily injury.
 - iii. To stop a fleeing felon when there is no indication of imminent danger of death or serious bodily injury to the deputy or a third party.
 - iv. In defense of a third party's property, unless deadly force was used to acquire the property and imminent danger of death or serious bodily injury is present to the deputy or to the third party.
 - v. From a moving vehicle or at a moving or fleeing vehicle except when necessary in the defense of a deputy's or another person's life and all other reasonable means of defense have failed.

L. Carotid Hold

1. The carotid hold is classified as deadly force and its use is applicable under the rules of this order. The carotid hold will not be used in subduing belligerent prisoners.

M. Vehicular Force

1. The intentional use of a motor vehicle to ram or otherwise collide with, or block the path of a suspect's vehicle in such a manner as to cause a collision, constitutes the use of force. The use of vehicular force shall conform to the

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same policies and legal constraints applicable to the use of other methods of force.

2. In no instance will vehicular force be used where the only known violation is of traffic laws.
 - i. A possible exception would be indication by the driver's behavior of intoxication to the point that his continued presence on the roadway constitutes imminent and serious hazard to others, and then only when less drastic means of apprehension have been attempted without success.
3. Vehicular force shall not be used against a motorcyclist or a pedestrian unless deadly force would be clearly justified under the circumstances.
4. The use of vehicular force is subject to the same Departmental review and investigation procedures as the use of other methods of force, and shall be reported in the same manner.

N. Reports Required for Use of Force

1. Deputies shall immediately report the use of force verbally to their on-duty supervisor. In addition, if the use of force reached the level of physical strength and skill or greater the deputy will be required to complete the Use of Force Report Form.
 - i. A separate form shall be completed for each suspect upon whom force is used.
 - ii. If more than one non-lethal control device is used on a suspect, information for each such device shall be reported on the same form.
 - iii. A copy of all related reports will be attached to the form.
2. After completion, the involved deputy's immediate supervisor will review, sign, and date the form. The report will be reviewed and a recommendation made by the following: the Shift Commander, the Division Commander, and forwarded to the Sheriff.

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3. The office of the Sheriff shall retain the original forms in accordance with state law records retention and disposition.
4. Discharge of firearm with no physical injury:
 - i. If a deputy discharges his firearm, and no one is injured as a result of the shooting, the deputy shall submit a detailed written Use of Force Report Form. Depending on the nature of the discharge the Supervisor will determine the need of an immediate investigation, or the notification of the command staff.
5. Discharge of firearm with physical injury of death:
 - i. If a deputy discharges his firearm and causes injury or death, the deputy shall submit a detailed written Use of Force Report Form. The deputy's Division Commander, the Chief Deputy and the Sheriff will be notified immediately. An investigation will begin immediately.
6. Non-deadly force with injury or death:
 - i. When a deputy's use of non-deadly force results in injury his supervisor shall be notified immediately. When a deputy's use of non-deadly force results in serious bodily injury or death his supervisor, Division Commander, Chief Deputy, and the Sheriff shall be notified immediately. The deputy shall submit a detailed written Use of Force Report Form.
7. Accidental discharge of a firearm:
 - i. A deputy who accidentally discharges his weapon will submit a detailed written report through his chain of command, outlining the circumstances of the incident and if any damage to property was involved.
8. Injury report:
 - i. If an individual is injured due to a deputy's use of force and requires medical attention, the deputy shall take the necessary steps to seek treatment for the individual and immediately notify his supervisor. A Use of Force Report Form with a full explanation of the incident shall be submitted by all deputies involved. Photographs will be taken of

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the injury. The report and the photographs shall be forwarded through the chain of command to the Sheriff.

- ii. If a deputy is the victim of an assault, or receives an injury while arresting a person for resisting arrest, he shall immediately notify his supervisor. An Offense Report shall be prepared as per standard procedure. Photographs shall be taken of injuries sustained by the deputy. A copy of the Offense Report will be forwarded to the Sheriff.

O. Use of Force Certification Requirement

1. All commissioned personnel shall be trained and certified in the following weapons or defense tactics:
 - i. Duty weapons
 - ii. Off-duty weapons
 - iii. Shotgun
 - iv. Rifle
 - v. ASP baton - except plain clothes Deputies (i.e., Investigator, Administration, etc.)
 - vi. Chemical agents - Chemical agents shall be only those authorized by the Sheriff
 - vii. Taser – Deputies authorized to carry a Taser shall be trained annually
 - viii. Defensive tactics
 - ix. Handcuffing
 - x. Other approved weapons (i.e., in specialized units)

P. Use of Force Against Animals

1. Any force used must be reasonable and take into consideration the totality of the circumstances. Deputies may use deadly force in self-defense, or in defense of a third party, when it reasonably appears that there is imminent danger of bodily injury, serious bodily injury or death. Deputies may use force to stop an animal that is attacking a domesticated animal.
2. When no other alternative exists a deputy may, when authorized by a supervisor, use deadly force to take an injured animal's life.
3. If a deputy uses force that injures or kills an animal, other than a traffic accident, he shall fill out and submit a Use of Force Form through the chain of command.

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Q. Exception

1. The Sheriff reserves the right for him and the Chief Deputy, to change, alter or waive any policy, rule or order. This may be done verbally or in written form and at his or the Chief Deputy's discretion.

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FIREARMS

Bowie County Deputy Sheriffs may use only firearms, which have been approved by the Sheriff, when acting in the capacity of a peace officer. This applies to both on and off duty.

- A. All weapons will be of nationally recognized make, model, and caliber consistent with law enforcement use. On duty weapons must be of the caliber of .38 Special or larger. Off duty weapons must be of a .32 caliber or larger.
- B. No deputy is deemed authorized to carry a particular firearm (handgun, rifle, or shotgun) until the deputy has demonstrated the required level of firing proficiency, required proficiency in safety and operation procedures, and required proficiency in field maintenance procedures. A certified firearms instructor shall determine the firearms qualifications course.
- C. Any major repair, maintenance, or any modification must be performed by a qualified gunsmith or the manufacturer of any firearm utilized by a deputy when acting in the capacity of a peace officer.
- D. Only approved types of ammunition will be utilized by Bowie County Sheriff's Deputies in their on or off-duty firearms when acting in the capacity as a peace officer. On and off-duty ammunition will be furnished by the Sheriff's Office.
- E. All deputies will qualify with the firearms, which are carried on, or off-duty as a Bowie County Sheriff's Deputy, including their second or backup weapon, at least once annually. All deputies MUST qualify.
- F. A deputy who fails to meet minimum standards for qualification with a firearm carried on or off-duty (in the capacity of a peace officer) is PROHIBITED from carrying that firearm (in the capacity of a peace officer) and will be relieved of regular duty if it is the on duty sidearm.
- G. Except for appropriate circumstances, all firearms shall be carried concealed when not in Sheriff's Office uniform. Second or backup firearms shall be carried concealed at all times.

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- H. Deputies shall exercise care and safety in the carrying, handling, transporting, and use of firearms. Weapons shall not be left in places accessible to unauthorized persons, nor left unattended in public view.**

Revised February 17, 2010

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DETENTION AND ARREST

Employees of the Bowie County Sheriff's office will ensure the rights of all citizens are protected, including those of a person being detained or arrested. Officers will use the minimum force necessary to affect the detention, arrest, or transport of a suspect. The Texas Code of Criminal Procedures, U. S. Supreme Court Decisions, and the Policies of the Sheriff's Office will be followed.

- A. Detentions are based on a reasonable suspicion of criminal activity.
 1. The detention is brief
 2. The reasonable suspicion will be determined by the totality of the circumstances.
 3. A frisk must be justified by the reasonable fear that the detainee is armed with a deadly weapon. A frisk of the detainee's vehicle must also be justified by the reasonable fear the suspect's vehicle contains a deadly weapon. A vehicle frisk only extends to the areas of the vehicle within the detainee's immediate access to include an unlocked glove box, unlocked console, or other area that could be accessed quickly to obtain a deadly weapon.
 4. If the detention does not produce probable cause to warrant an arrest the person is released

- B. An arrest without a warrant is made based on statutory authority. Deputies will have a working knowledge of the Texas Code of Criminal Procedures, and the exceptions governing when a warrantless arrest can be made.
 1. A warrantless arrest is based on probable cause.
 2. An arrest where the probable cause for the arrest is based on the statement of a witness / victim, the Deputy will obtain a written statement from the witness / victim.
 3. Evidence including photographs used to establish the probable cause for arrest will be collected and preserved.
 4. A Warrantless Arrest Probable Cause Affidavit will be prepared and presented to a magistrate within 48 hours.

- C. Arrest with a warrant. A neutral and detached magistrate may issue a warrant of arrest if he determines the existence of probable cause.
 1. Deputies will confirm the existence of the warrant with the issuing agency.
 2. The identity of the suspect will be confirmed and compared to the identifiers on the warrant. Deputies will ensure the person arrested is the person named on the warrant.
 3. The person arrested will be searched incident to arrest, and the immediate area within his control can be searched. (Chimel v.

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California “construing the phrase to mean the area from which he might gain possession of a weapon or destructible evidence”.)

4. Without Consent or exigent circumstances officers who are seeking to arrest a suspect in the home of a third person must obtain a search warrant to affect the arrest warrant.
5. The arresting Deputy is responsible to ensure the warrant is removed from the warrant file, and the warrant return completed. The fact that the arrested person was temporarily housed at the New Boston Police Department Jail and transported by another officer does not relieve this responsibility.

Arrested persons will be transported in accordance to Bowie County Sheriff's Office policy.

Arrested persons will be taken before a magistrate without unnecessary delay, not more than 48 hours after the arrest.

Booking procedures of the Bowie County Sheriff's Office will be followed.

Revised June 7, 2016

SEARCH AND SEIZURE

Citizens of Bowie County shall be secure in their person, houses, papers, and effects against unreasonable search and seizure.

- A. **SEARCH WARRANT-** As a fundamental principle of constitutional criminal procedures, search warrants are strongly favored under both the United States Constitution and the Texas State Constitution.
1. Bowie County Deputy Sheriffs will be knowledgeable of the Fourth Amendment of the United States Constitution and court opinions governing search warrants.
 2. A Bowie County Deputy Sheriff who is seeking the issuance of a search warrant must first have the warrant and affidavit approved by a Division Commander, the Chief Deputy, or the Sheriff before presenting it to a Judge.
 3. An entry / execution plan shall be made. Each officer involved will know his assignment.
 - a. All entry team members will wear protective vest.
 - b. An officer will be assigned to secure, record, and collect all evidence.
 - c. Specific officers will be assigned to search.
 - d. Specific officers will be assigned to detain or arrest suspects, and secure them while the search is being conducted.
 - e. All arrested persons will be transported as soon as possible to jail, with the exception of the person named in the search warrant, or person in control of the target area.
 4. On "High Risk" search warrants a supervisor will be in charge of the entry and execution of the search warrant.
 - a. Lifenet and Fire Department personnel should be staged in the area.
 - b. The assistance of the Special Weapons and Tactics Team is recommended.
 - c. In the event of an injury or illness of any person (officer, suspect, or bystander) medical assistance will be summoned immediately.
 5. The case investigator will submit a written report concerning the execution of the search warrant, list of seized items, and other documentation required.
 6. The property may not be removed from the county in which it was seized

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without an order from a magistrate in the county, however, nothing here prevents the officer from forwarding any item or items seized to a laboratory for scientific analysis.

B. WARRANTLESS SEARCHES

To justify a warrantless search, it must be shown that the search falls into one of the narrowly drawn exceptions to warrant requirement.

1. **Exigent Circumstances**
Situations that are extreme and dictate that officers act quickly, no time to get a warrant, a necessary response to an emergency situation. An exigency exists if:
 - a. There is a good chance evidence – either contraband, instrumentalities used in a crime, or the fruits of the crime – is being destroyed or concealed;
 - b. It is likely a suspect will flee;
 - c. There is a real danger to people.
2. **Destruction or Removal of Evidence**
Where officers have a reasonable belief that evidence is being or about to be destroyed, a warrantless entry may be permitted under this exception.
3. **Flight of the Suspect**
If officers have evidence demonstrating a felony suspect is an immediate flight risk, and has the present ability to flee the jurisdiction, a warrantless entry may be permitted to apprehend that suspect before flight.
4. **Safety of the Officer or Others**
If the officer believes that the suspect is armed and presents a real and immediate danger to the officers or other people, a warrantless entry is permitted.
5. **Hot Pursuit**
A warrantless entry of a private dwelling will be allowed when officers are in hot pursuit of a suspect who they have probable cause to believe committed a felony. Must also, have probable cause the suspect entered a specific dwelling. After following the suspect into a dwelling, the officer may seize contraband, weapons, instrumentalities or fruits of crime that are in plain view.
6. **Search Incident to Arrest**
Upon the lawful arrest of a person, the arresting officer is entitled to search not only the person of the arrestee, but also the area that was in the immediate control of the suspect prior to the arrest.
7. **Emergency Aid**
An officer can enter premises without a warrant to protect individuals in distress, to assist victims of crimes that have just occurred or to investigate suspicious signs of impending danger. This exigency is based on the

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officer's obligation to protect life and property. There are three basic requirements for the application of the emergency doctrine:

- a. The officer must have reasonable cause to believe that there is an emergency and an immediate need for their assistance for the protection of life or property;
- b. The search must not be primarily motivated by an intent to arrest and seize evidence; and
- c. There must be some reasonable basis to associate the emergency with the area or property to be searched.

8. Consent

A tool often used by law enforcement is to simply ask a suspect for permission to search his/her person, vehicle, or residence. If the request is granted, the individual has in effect waived his/her privacy interest in the area searched.

- a. Valid consent may be rendered verbally (express consent), or inferred from the conduct or actions of the person from whom the officer seeks consent (implied consent). Whenever possible an officer should get written consent.
- b. Permission to search may also be obtained from a third party who possess common authority over, or other sufficient relationship to the premises or effects that are to be searched.
- c. The suspect granting consent to search must remain at the scene of the search, and may withdraw consent at any time.

9. Inventory and Booking

- a. It is the policy of the Bowie County Sheriff's Office that all vehicles impounded by the Bowie County Sheriff's Office will be inventoried. Vehicle inventories shall be conducted at the time of the impound.
- b. A search of an arrestee, and the containers in his/her possession, shall be made prior to incarceration.

10. Automobiles

If officers have probable cause to believe a moveable car contains contraband or evidence of a crime, they may lawfully conduct a search of the entire automobile, and any containers which could reasonably be expected to contain contraband, whether open or closed, without first securing a warrant.

There is no crime scene exception to the search warrant requirement.

Report writing is an essential tool to the accomplishment of the Bowie County Sheriff's Office mission. Every officer shall be familiar with the proper techniques and methods used in preparing reports.

A. Purpose and Use of Reports

1. Permanent written record
2. Statistical information
3. Intelligence information
4. Assist with prosecution, and to refresh the officer's memory.
5. Supervisors review reports to ensure officer is providing a thorough investigation, and following policies and procedures.

B. Effective Reporting

Reports must be factual, clear, concise, complete, and objective.

1. Factual – The report must be factual because the acts of commission or omission which comprise the elements of the crime must be proven in fact.
 - a. Knowledge of the case – Report the facts about an offense as you have observed them or as they have been reported to you by a witness or the reporting person.
 - b. Objectivity – An objective report is restricted to the facts of the incident.
 - c. Opinions – Do Not enter personal opinions in a report.
 - d. Accuracy – It is the reporting officer's responsibility to check the report for accuracy. If spelling or math is a problem use a dictionary or a calculator.
2. Clear – Use simple language and logical order. The report narrative should follow the time sequence of events. Avoid using words and phrases that are vague, ambiguous, or have double meanings.
3. Concise – Include only pertinent facts in your report. Use ordinary words

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and short sentences. Do not sacrifice accuracy, completeness, or clarity.

4. Complete – The smallest detail of a crime may turn out to be the essential factor that results in the ultimate determination of guilt or innocence. Answer the questions of: who?, what?, where?, when?, how?, with what?, why?, with whom?, and how much?
5. Objective – All facts, favorable and unfavorable to the disposition of the case, must be included in the report. The ultimate objective is determining truth.

C. Filling Out Report Forms

Reports consisting primarily of check-off boxes or fill-in blanks such as: Offense Reports, Arrest Reports, Vehicle Reports, Supplemental Reports, etc.

1. Every report should be PRINTED or typed on a computer.
2. Every report should be done in black ink.
3. Every block should be filled in with the applicable information or the use of N/A (not applicable), UNK (unknown) or a line drawn through when appropriate. Except in the “Office Use Only” area.
4. Every report must be legible.
5. Other than the above-mentioned abbreviations, or those universally accepted (Dr., Mr., Mrs., Etc.) do not use abbreviations. They mean different things to different people.
6. Read and follow the instructions in the boxes on the report forms.

2-G INCIDENT COMMAND SYSTEM

An Incident Command System (ICS) will be used on all incidents in which FOUR law enforcement units are committed.

If the incident involves multiple agencies and/or jurisdictions a UNIFIED COMMAND SYSTEM (UCS), as mandated under the NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS), will be utilized.

The ranking officer on scene will serve as INCIDENT COMMANDER if the emergency is a law enforcement incident. For example bomb threats, homicides, manhunts, sniper incidents, shootings or any SWAT incident.

If law enforcement is not the lead agency the ranking officer on scene will serve as LAW ENFORCEMENT BRANCH CHIEF and will use the same ICS protocol within his/her agency. This could include hazardous material incidents, plane crashes and major fires. In such an incident the ranking officer on scene will report to the command post and make contact with the INCIDENT COMMANDER to determine what manpower or resources are needed from law enforcement. In many incidents, as indicated in the local emergency management plan, law enforcement will also be charged with carrying out any evacuations necessary.

If law enforcement is the first unit on any scene he/she will do a brief initial size up and give a BASIC INFORMATION REPORT (BIR) to dispatch so that it can be relayed to other responding units/agencies. That law enforcement officer will serve as INCIDENT COMMANDER until other agencies/departments arrive on scene.

If the incident involves a hazardous material, major fire or any other incident where law enforcement would not be the lead agency, when the first fire unit arrives on scene, the fire department will assume command. If needed, the law enforcement officer will begin setting up a LAW ENFORCEMENT BRANCH for the incident. That LAW ENFORCEMENT DIVISION CHIEF will work as a part of the UNIFIED COMMAND structure.

If the scene is not secure or there is a threat to personnel, the ranking law enforcement officer on scene will designate a STAGING AREA for all responding law enforcement units and assign someone to be in charge of the staging area. Any units, regardless of department/agency, that are not needed immediately on scene should also be placed in a STAGING AREA and await assignment. Depending on the size of the incident multiple staging areas may be needed.

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In any multi-agency/multi-jurisdiction incident representatives of each agency should jointly determine a common radio communications channel and instruct all units to switch to that channel.

Once a common communications channel is determined, the INCIDENT COMMANDER will advise dispatch of that designated channel. If a mobile command post and/or EMERGENCY OPERATIONS CENTER (EOC) are activated, they should also be advised of the common channel. At that time only the INCIDENT COMMANDER or his designee will communicate with the fixed facility (command post, dispatch or EOC) coordinating the response.

As the incident progresses or continues to grow, the Incident Commander will assign roles and responsibilities as needed in compliance with NIMS.

2-H **BOWIE COUNTY SHERIFF'S OFFICE**
POLICY
RACIAL PROFILING PROHIBITED

- Racial Profiling is defined as – “a law enforcement - initiated action based on an individual’s race, ethnicity, or national origin.
- All deputies of the Bowie County Sheriff’s Office are **STRICTLY PROHIBITED** FROM ENGAGING IN RACIAL PROFILING.
- All motor vehicle or pedestrian stops initiated by deputies of the Bowie County Sheriff’s Office for an alleged violation of a law or ordinance regulating traffic or any suspected offense **SHALL** be based on the behavior of the individual stopped or on information identifying the individual as having engaged in criminal activity.
- If an individual believes a Bowie County Sheriff’s Deputy has engaged in racial profiling with respect to the individual, that individual may file a complaint with the Chief Deputy or the Sheriff of Bowie County. The complaint can be made during normal business hours at the Sheriff’s office in the Bi-State Justice Building 100 N. Stateline Ave. Texarkana, Texas.
- The Chief Deputy or the Sheriff will require an investigation of an individual’s complaint of racial profiling. If an investigation reveals a Bowie County Sheriff’s Deputy has engaged in racial profiling in violation of this policy, appropriate corrective action will be taken against the Deputy.
- The preceding sections of this policy will be released to the news media to educate the public relating to the Bowie County Sheriff’s Office complaint process, regarding a complaint of racial profiling.
- Deputies of the Bowie County Sheriff’s Office who make motor vehicle stops in the routine performance of their official duties, who stop a motor vehicle for an alleged violation of a law or an ordinance, where an arrest is made or a citation is issued shall complete a Bowie County Sheriff’s Office Citation / Warning Form including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

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- Information on the Bowie County Citation / Warning Form shall include a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
 - (A) the person's gender; and
 - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the deputy to the best of the deputy's ability;
 - (C) the initial reason for the stop;
 - (D) whether the deputy conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
 - (E) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
 - (F) the reason for the search, including: if any contraband or evidence was in plain view, or if any probable cause or reasonable suspicious existed to perform the search; or the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
 - (G) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
 - (H) the street address or approximate location of the stop
- The Bowie County Sheriff's Office Patrol Captain will collect information relating to motor vehicle stops in which a citation is issued, or an arrest made as a result of the motor vehicle stop, including information relating to: (A) the race or ethnicity of the individual detained; and (B) whether a search was conducted and, if so, whether the person detained consented to the search.
- The Bowie County Sheriff's Office will submit an annual report of the information collected, by the Patrol Captain, to the Bowie County Commissioners Court. The first report will be for the period beginning January 01, 2002 and ending December 31, 2002. The first report will be due by March 01, 2003. The following annual reports will also; be due by March 01 of each year.
- The Bowie County Sheriff's Office shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the Bowie County Sheriff's Office that a deputy has engaged in racial profiling with respect to the motor vehicle stop, the Bowie County Sheriff's Office shall retain the video and audio or audio record of the stop until final disposition of the complaint.
- The Bowie County Sheriff's Office Patrol Captain will require a randomly selected review of motor vehicle stops from the video and audio or audio documentation submitted by each Deputy, during the 90 day period that documentation is kept by the Sheriff's Office. The Patrol Captain will retain any

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documentation that appears to be in violation of this policy until an investigation can be completed to determine if there has been a violation of this policy. If an investigation reveals a Bowie County Sheriff's Deputy has engaged in racial profiling in violation of this policy, appropriate corrective action will be taken against the Deputy.

Revised March 3, 2010

ACCIDENT REVIEW

All accidents involving Bowie County Sheriff's Office owned or Bowie County leased vehicles are subject to be reviewed by the Sheriff, or Chief Deputy. A supervisor may be instructed to review the accident and make such finding known to the Sheriff or Chief Deputy.

ACCIDENT PROCEDURES

1. Any accident involving Sheriff's Office owned or deputy owned vehicles leased to Bowie County, regardless of the extent of the damage, will be immediately reported to the on duty supervisor. The supervisor, depending upon the severity of the accident and the time of day, will immediately or as soon as practical notify the Division Captain.
2. If a Bowie County employee is injured a "Employer's First Report of Injury Illness Report" will be completed. The employee's Supervisor will complete this form if the employee is unable to do so. The completed form will be provided to the Division Captain no later than the end of the first workday following the accident.
3. The employee driving the vehicle at the time of the accident will cooperate fully with any officer of any agency responding to investigate the accident, and with any deputy assigned to review this accident.
4. If the review of the accident provides that the deputy driving at the time of the accident was at fault and circumstances indicated factors that contributed to the accident were due to unsafe driving practices; the Sheriff at his discretion may impose disciplinary action up to and including termination. The Sheriff at his discretion may direct the Division Captain or the Chief Deputy to administer the disciplinary action.

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COMMUNICATIONS INSTRUMENTS AND DEVICES

USE OF TCIC, ACIC, AND NCIC

Any query made, data or messages sent or received on the Teletype (computer & MDT) shall be regarded as the official business of the Department and shall not be divulged to persons outside the Department operations. All department personnel shall adhere to all guidelines for use and security of the department-issued Mobile Data Terminal (MDT) equipment and related CJIS information as set forth in this policy. Failure to comply with this policy may result in disciplinary action or termination.

USE OF INTERNET AND ELECTRONIC COMMUNICATION SYSTEMS

PURPOSE

To establish a policy for use of the Internet and the Texarkana AR/TX PD and Bowie County Sheriff's Office electronic communication systems including but not limited to Computer work stations and Mobile data Terminals mounted in police vehicles. It shall be the policy of Texarkana AR/TX PD and Bowie County Sheriff's Office to protect the integrity of the CJIS database and all data and information obtained through use of Mobile Data Terminals and/or hard-wired terminals by strictly following the procedures outlined in this policy.

DEFINITIONS

Computer Network

Two or more computers that can share information, typically connected by cable, data line, or satellite link.

Electronic Communication Systems

System used as a means of sending and receiving messages electronically through connected computer systems or the Internet, such as e-mail or voice mail.

Encryption

A procedure used to convert data from its original form to a format that is unreadable and/or unusable to anyone without the tools/information needed to reverse the encryption process.

Internet

An international network of independent computer systems. The World Wide Web is one of the most recognized means of using the Internet.

Mobile Data Terminal (M.D.T.)

Includes all computers that have access, via wireless or hard-wired network, to TLETS, TCIC, ACIC, NCIC or any law enforcement database.

Removable Media

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Device or media that is readable and/or writable by the end user and is able to be moved from computer to computer without modification to the computer. This includes flash memory devices such as thumb drives, cameras, MP3 players and PDAs; removable hard drives (including hard drive-based MP3 players); optical disks such as CD and DVD disks.

Secure location

This term includes the areas of the Texarkana AR/TX PD and Bowie County Sheriff's Office that are not open to the public that have been properly marked by "Authorized Personnel Only" signs. This term also includes official police vehicles that are locked and/or attended by authorized sworn police personnel.

Non-secure location

This term includes all locations not defined as "secure location" above. Under no circumstances may the MDTs/laptops ever be used in a non-secure location.

Users

All employees of the Texarkana AR/TX PD, Bowie County Sheriff's Office, contractors, and Jail staff who use the City's Internet and/or electronic communication systems.

NOTE: Reserve Officers while on duty in an official capacity shall be considered employees with regard to this policy. Any non-employee such as volunteers or interns is not authorized to access the City's Internet or electronic communication systems.

GENERAL PROVISIONS FOR USE OF INTERNET AND ELECTRONIC COMMUNICATION SYSTEMS

All users must follow this policy and any additional policy that may be adopted by the City of Texarkana AR/TX PD and Bowie County Sheriff's Office. Users of electronic communication systems such as computers and Mobile Data Terminals that are networked through another agency, such as the Texas Department of Public Safety or Arkansas Crime Information Center, shall also abide by that agency's policy regarding such use.

Business Use

City/County owned computer systems that allow access to the Internet and electronic communication systems are the property of the Texarkana AR/TX PD and Bowie County Sheriff's Office and are provided to facilitate the effective and efficient conduct of City business. Users are permitted access to the Internet and electronic communication systems to assist in the performance of their jobs.

Personal Use

Personal use means use that is not job-related. In general, incidental and occasional personal use of the City's Internet access or electronic communication systems is permitted; however, personal use is prohibited if it:

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- interferes with the user's productivity or work performance, or with any other employee's productivity or work performance or adversely affects the efficient operation of the computer system;
- violates any provision of this policy, any supplemental policy adopted by the Department supplying the Internet or electronic communication systems, or any other policy, regulation, law or guideline as set forth by local, City, State, or Federal law.

NOTE: Users employing the City's Internet or electronic communication systems for personal use must present their communications in such a way as to be clear that the communication is personal and is not a communication of the Police Department or the City of Texarkana AR/TX PD and Bowie County Sheriff's Office.

No Expectation of Privacy

No user should have any expectation of privacy in any message, file, image or data created, sent, retrieved or received by use of the City's equipment and/or access. Supervisors have a right to monitor any and all aspects of their computer systems including, but not limited to, sites, instant messaging systems, chat groups, or news groups visited by Department's users, material downloaded or uploaded by Department's users, and e-mail sent or received by Department's users. Such monitoring may occur at any time, without notice, and without the user's permission. In addition, electronic records may be subject to the Freedom of Information Act (FOIA) and, therefore, available for public distribution.

Prohibited Activities with Exception

Certain activities are prohibited when using the Internet or electronic communications. These include, but are not limited to:

- accessing, downloading, printing or storing information with sexually explicit content;
- downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or other-wise unlawful messages or images;
- installing or downloading computer software, programs, or executable files contrary to policy;
- uploading or downloading copyrighted materials or proprietary Departmental information contrary to policy;
- uploading or downloading access-restricted Departmental information contrary to policy or in violation of Departmental policy;
- sending e-mail using another's identity, an assumed name, or anonymously;
- permitting a non-user to use for purposes of communicating the message of some third party individual or organization;

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Exceptions:

Commissioned Law Enforcement Officers or their agents, operating in their official capacity during active criminal investigations, and with supervisor authorization, may be exempted from one or all of the aforementioned prohibited activities when required.

Prohibited Activities without Exception

- The use of any non-departmental approved storage device to include but not limited to USB drive, external hard drive or storage device, where the use is to extrapolate data from any CJIS protected database is expressly prohibited. This shall include any other activities designated as prohibited by the Department.

Security

The distribution of electronic communications is difficult to control and routing mistakes can easily occur. Copies of electronic communications can be forwarded without the sender's knowledge or permission to unintended recipients. Therefore, electronic communications should be drafted and sent with at least the same level of care, professional judgment and discretion as paper memoranda or documents.

Any material displayed on a MDT or PC that is not public information shall be secure and protected from public view or access in the same manner as official paper memoranda or documents. The integrity, protection and security of any privileged data whereby the department has approved access must be maintained as set forth in this policy to include;

- CJIS, TLETS, TCIC, ACIC, and NCIC data shall be accessed ONLY from secure locations, as defined above. No data, information or other thing from any of these databases shall be copied or selected for embedding by pasting the data into an offense report.
- Each person authorized to access CJIS data shall receive security awareness training within six months of appointment or employment and thereafter at least every two years, in accordance with CJIS policy, and said training will be documented.
- Visitors to secure areas will be escorted by authorized personnel at all times.
- When transporting non-law enforcement personnel in police vehicles, officers will close the screen of the MDT or position it in a manner that will prevent unauthorized viewing of CJIS data.
- Changes in authorized personnel will be immediately reported to TCIC and ACIC Training sections as appropriate.
- All printouts of CJIS data shall be promptly filed with the corresponding incident records.

2-J

Otherwise, such printouts should be promptly shredded using the shredder located in the copy room.

- All storage media containing or used for CJIS data that is no longer used shall be securely-formatted using methodology that over-writes all data in three iterations and then the disk shall be physically destroyed. The current approved method for destruction is FCI. The disk(s) shall remain in PD/SO control and must be transported to destruction site by a member of the PD/SO. A certificate of destruction must be obtained and filed as proof of destruction. Certificates may be discarded after 3 years.
- The Department shall keep a list of all wireless device ID's and vendor telephone contact numbers so that devices can be promptly disabled, should the need arise.
- The local CJIS network equipment room shall be securely locked when not occupied.
- All police vehicles containing MDTs shall be securely locked when not in use.
- All equipment used for processing CJIS data shall have anti-virus software installed and updated on a monthly, and the MDT firewall shall be enabled at all times.
- All confidential information placed on removable media shall be encrypted with Bit locker or comparable software. Always error on the side of caution and encrypt the data if you are unsure of the importance.
- No employee shall have Administrator access to PD/SO equipment without the express approval of the Chief of Police/Sheriff.
- It shall be the responsibility of each authorized user to report any violations of this security policy to their immediate supervisor who shall forward it to the Chief of Police/Sheriff.
-

USER RESPONSIBILITIES

The conduct of computer users who access the Internet or send e-mail containing the City's domain address (i.e., ___@txkusa.org) may be perceived as reflecting on the character and professionalism of the City. When engaging in such conduct, whether for personal or official purposes, employees are expected to do so in a responsible and professional manner.

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All users are responsible for exercising appropriate care to protect the City's computer systems against the introduction of viruses. When using the City's Internet access or electronic communications, equipment and capability, individuals must:

- All confidential information placed on removable media shall be encrypted with Bit locker or comparable software. Always error on the side of caution and encrypt the data if you are unsure of the importance.
- No employee shall have Administrator access to PD/SO equipment without the express approval of the Chief of Police/Sheriff.
- It shall be the responsibility of each authorized user to report any violations of this security policy to their immediate supervisor who shall forward it to the Chief of Police/Sheriff.
- **VIOLATIONS**
- The appropriate level of disciplinary action will be determined on a case-by-case by the respective Chief of Police, Sheriff or designees, with sanctions up to or including termination depending on the severity of the offense, or consistent with the appropriate applicable policy.

Effective 12-18-2012

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CRIME SCENES

The presentation of physical evidence, properly collected at a crime scene is critical to the prosecution of the perpetrator of the crime. This policy provides guidelines for the preservation and collection of this evidence.

A. OPERATIONS

1. The initial responding officer shall perform a protective sweep and take the actions necessary to protect / save human life. When the area is secure the officer shall secure the crime scene and ensure the protection of evidence from victims, suspects, witnesses, spectators and other agency personnel. The officer will request additional assistance as needed and will retain control of the scene until relieved by a supervisor or the assigned investigator.
2. The supervisor of the initial responding officer will direct any assistance that is required and designate an officer to secure the crime scene if the initial officer must assume other duties, (take custody of offender, accompany victim to hospital, etc.). If appropriate the supervisor will notify the CID Captain, Sheriff, etc..
3. The assigned Investigator will take direct and complete control of the crime scene upon his/her arrival. Should another Investigator be required due to the nature or complexity of the crime scene, the initial Investigator should request additional assistance. The Investigator will process, preserve and collect all physical evidence.

B. CATEGORIES OF CRIME SCENES

1. THE INTEGRITY OF THE CRIME SCENE WILL BE MAINTAINED AT ALL TIMES.
2. Minor crime scenes processing will include the following:
 - a. Photographing the crime scene;
 - b. Search for latent prints; and
 - c. Collection of physical evidence.

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3. The responding officer or an on-duty Investigator will process minor crime scenes.
4. Major crime scenes will be classified as follows:
 - a. Homicides;
 - b. Questionable deaths;
 - c. Suicides;
 - d. Major burglaries;
 - e. Sexual assaults;
 - f. Aggravated robberies with serious bodily injury; and
 - g. Officer involved shootings.
5. The on duty Patrol Supervisor will make the determination to notify the on call investigator.
6. Criminal Investigators shall have the following equipment in their vehicles:
 - a. Latent print equipment;
 - b. Camera, film and related items;
 - c. Crime scene sketch materials; and
 - d. Equipment and supplies for the collection of physical evidence.

C. COLLECTION OF EVIDENCE

1. Photographs – will be taken at crime scenes when appropriate and prior to the collection of evidence. The photos should show the following:
 - a. Location of crime scene (numerical address, street sign, etc.);
 - b. 360 degree view of all exterior sides;
 - c. Inside views from as many angles needed to show the scene (360 degrees);
 - d. Overall views showing all items of evidence;
 - e. Close up view of all evidence items; and
 - f. When necessary for size reference, a second close up view of all evidence items with a measuring scale placed near the item using the same angle and lighting conditions.
2. Latent Fingerprints
In the event that fingerprints are lifted at the crime scene and

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transferred to a latent print card, the Crime Scene Investigator will place his/her initials, the case number, date, time and location of article that prints were lifted from on the back of the card. Latent prints should be photographed prior to attempting to lift the latent print.

3. Trace Evidence, Liquids and Body Fluids

- a. These items will be collected in the most effective manner and placed in separate containers. The most current methods will be used in handling of these articles and care should be used to reduce the chance of exposure to contaminated materials.
- b. Bloodstained or wet articles will be properly dried. Plastic bags should NOT be used for these items. Officers should use caution when handling these items due to the possibility of disease contamination.
- c. All syringes placed into property shall be packaged in a syringe evidence tube.

4. Collection of Known Material – when applicable, Crime Scene Investigators will collect samples of known materials for comparison with other samples collected.
5. Stolen or Seized Vehicle – should be processed at the scene, but may be taken to another location such as the Courthouse or Bi-State Justice Building basement if circumstances make it necessary. The vehicle may be transported by an approved rotation wrecker service but must be accompanied by an officer.

D. LABELING OF EVIDENCE

1. Evidence collected at a crime scene will be labeled at the time it is collected. Items that cannot be labeled will be placed in a container and the container will be labeled. The label will contain the following information:
 - a. Case number (CCN);
 - b. A letter, number or both that identifies that specific item;
 - c. Date & time collected;
 - d. Investigator's initials; and

2-K

- e. Location where the item was located.
 - f. If possible the item itself will be marked for identification with the officers initials, the date and time.
 2. A list of all items collected will be maintained by the Investigator. Collecting the evidence. This list will include:
 - a. Description of the item, including make, model, serial number, etc.;
 - b. Where or from whom the item was collected; and
 - c. Name of the investigator collecting the evidence.
 - d. How the item was marked for identification
- E. Physical Evidence – from a major crime scene that cannot be processed at the scene may be sent to a Crime Lab for processing.
- F. STORAGE & CHAIN OF CUSTODY
 1. Evidence collected by a responding officer or Investigator will be marked and placed in a designated secured area.
 2. The chain of custody of physical evidence will be maintained at all times.
- G. FORENSIC EVIDENCE TRANSMITTAL TO LABORATORIES
 1. If evidence is to be sent to a laboratory for further study, the Investigator will complete the required submission form in a timely manner. He/She will list the evidence to be submitted, tests or comparisons to be conducted and any special instructions to the laboratory.
 2. The Investigator will keep a record of all evidence submitted to a laboratory. This record will include:
 - a. Name of the last officer having custody of the evidence;
 - b. Date & time of submission or mailing and method used for transmission;
 - c. Date & time of receipt at the laboratory;
 - d. Name & signature of the person in the laboratory receiving the evidence; and
 - e. Written test results.
- H. CRIME SCENE SKETCHES
 1. A crime scene sketch will be made at all major crime scenes. A sketch will

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be made at the discretion of the Investigator at minor crime scenes. The Investigator may have an officer assist in the taking of measurements as long as the Investigator reads and records the measurements. All drawings will contain the following;

- a. Basic floor plan or layout of the crime scene area;
- b. Relationship of the crime scene area to other rooms or geographic features;
- c. Location of the victim(s);
- d. Location of evidence items;
- e. Measurements of the victim(s) and evidence in relationship to each other;
- f. Indicator of the direction of north;
- g. Date & time the sketch was made;
- h. Address or location;
- i. Name(s) of the Investigators preparing the sketch; and
- j. Case number (CCN).
- k. The words "not drawn to scale" should be written on the top, front portion of the sketch.

I. REPORTS

Investigators shall submit a written report on all crime scenes processed. If the investigator is assigned as the primary investigator, this information can be included in his supplemental report of the investigation. This report will include those scenes where no photographs or physical evidence is collected. The Investigator will state the reasons why no photographs or evidence was collected.

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PROPERTY & EVIDENCE STORAGE PROCEDURES

Officers placing property or evidence in the Property Section will follow the following procedures.

- A. All Officers shall carefully scrutinize all items of evidence to determine its evidentiary value. Items with no apparent value should not be seized. Recovered property connected to thefts / burglaries may, whenever possible, be photographed and released to the owner. As appropriate, the photograph will be uploaded to the server.
- B. After completing the paperwork and properly tagging each item of property and evidence, the submitting deputy will place the property / evidence and the original property report in the designated secured area. A copy of the property report should be turned into the deputy's supervisor for submission to the records section.
- C. There are certain items that require specific handling due to the nature of the item. These items should be stored in the following manner:
 1. Firearms – The submitting Officer will unload the weapon and make a visual inspection to ensure the weapon is safe. The weapon and ammunition will be logged as separate items. When possible a second officer will check the firearm and confirm it is unloaded. The Firearm Evidence Tag should be used to identify all firearms taken into evidence or seized for safe keeping. The firearms evidence tag should be attached through the action of the weapon when possible to render it inoperable.
 2. Alcoholic Beverages – Open containers that cannot be sealed will be emptied after the liquid level has been marked on the outside. Containers that can be sealed will have the content level marked on the outside and then logged in the same as any other item.
 3. Drugs and Paraphernalia – All drugs will be counted, if applicable, before being placed in a property bag. Each drug type shall be placed in a separate plastic submission bag. Paraphernalia will be handled in the manner described for other property. Needles, razor blades, and other hazardous items must be packaged in a manner to prevent injury to other persons who come into contact with the items and the package marked "HAZARDOUS". Syringes shall be packaged in a syringe evidence tube.
 4. Chemicals and Hazardous Materials – Explosives, flammable liquids and

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chemicals from clandestine labs will not be brought into the Courthouse or the Bi-State Justice Center. Officers will contact a Criminal Investigation Division Supervisor to make arrangements for these items.

5. Bloodstained Items – The submitting Officer should use caution in handling bloodstained items due to the possibility of disease contamination. The submitting Officer will submit a copy of the property report and the bloodstained item(s) directly to the Investigator in charge of the case or, if appropriate, the Property Custodian. The Investigator or, if appropriate, the Property Custodian will assure the proper drying of such items. Plastic Bags Should Not Be Used For Bloodstained Items.
6. Currency – All currency seized in connection with an offense or for safekeeping will be counted by the submitting Officer and should be counted by a second Officer before placing into property. The number of bills for each denomination will be noted on the property report and evidence envelope. The currency will be placed in an envelope, which shall be sealed, initialed by the submitting Officer and the second Officer, and then placed into an evidence/property locker. Upon receiving this evidence, the Property Custodian will verify the currency count and secure the currency in a designated secure site. In the event that the currency has not been properly handled or if a discrepancy in the amount of cash occurs, the Property Custodian will notify the CID Captain.

D. Reporting of Property and Evidence Seized

1. Any deputy submitting property or evidence, including found property, will ensure that a property report is completed in a timely manner and submit a copy through their supervisor to the records section.

Revised August 28, 2018

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CHAIN OF CUSTODY

In order to preserve the admissibility of all evidence, the chain of custody must be maintained.

- A. Records will be maintained identifying the location of storage for all property and evidence seized by the Sheriff's Office.
- B. Deputies checking out evidence for court will obtain the evidence from the Property Custodian and then sign the property report acknowledging receipt of the evidence. The evidence will be returned to the Property Custodian when released by the court.
- C. All evidence returned to the Property Custodian will be inventoried in the presence of the deputy. The Property Custodian will sign the property report indicating the evidence has been returned to Property.
- D. Evidence that cannot be processed immediately, should be placed into property/evidence to be checked out from the Property Custodian at a later time for processing. This evidence will be boldly marked "TO BE PROCESSED." Evidence shall remain in the custody of the processing deputy after being checked out for processing. The evidence should be immediately processed or immediately sent to a lab for processing. Once processed the evidence will be returned to the property section or returned to its owner. If the property is returned to its owner, they will be required to sign the property report acknowledging receipt of the property.

Revised June 7, 2016

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VEHICLE MAINTENANCE

It shall be the responsibility of the Patrol Division Commander to ensure that all Bowie County Sheriff's Office fleet vehicles assigned to the patrol division are properly maintained. It shall be the responsibility of the Services Division Lieutenant to ensure that all Bowie County Sheriff's Office fleet vehicles assigned to the services division are properly maintained. All Bowie County Sheriff's Office vehicles assigned to a deputy in the Criminal Investigation Division, Patrol Division or Services Division as a take home vehicle shall be properly maintained by the deputy they are assigned to.

A. DEPUTIES RESPONSIBILITY FOR BCSO VEHICLES

All personnel operating a Bowie County Sheriff's Office fleet vehicle shall complete a vehicle inspection report prior to operating the vehicle. This report will be forwarded to the deputy's supervisor in a timely manner. Deputies who are permanently assigned a county vehicle are required complete a vehicle inspection report at the time they initially receive a vehicle and quarterly beginning in January of each year.

1. It is each deputy's responsibility to inspect his/her assigned vehicle for defects or shortages of oil, gas, water, and battery levels.
2. Deputies should always check the tires for wear, and make sure all exterior lighting is functioning properly.
3. Any safety or mechanical problems should immediately be reported to the deputy's supervisor.
4. Deputies are responsible for damages resulting from failure to make routine inspections.
5. When ending their use of the vehicle for the day, deputies should make sure the gas tank is left full for the next person who uses the vehicle and remove all trash from the vehicle.
6. Any damage to the vehicle or involvement in a traffic accident must be reported immediately to the deputy's supervisor.
7. Deputies shall not leave an unattended vehicle running, except when necessary for the operation of emergency equipment to protect a scene or for the safety of a canine when he is left in the vehicle.
8. Unattended vehicles shall be locked and secured even when parked on property owned by Bowie County.
9. All tobacco use is strictly prohibited in county owned vehicles.

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HONORABLY RETIRED DEPUTIES

All honorably retired deputies of the Bowie County Sheriff's Office may apply for an opportunity to demonstrate weapons proficiency in order to carry a handgun as required by Section 1701.357 of the Texas Occupations Code. An honorably retired deputy must be in compliance with all sections of this policy before they are eligible to carry a handgun.

A. Sworn Affidavit

1. The retiree must complete a sworn affidavit affirming that he/she honorably retired. The term "honorably retired" means:
 - i. Previously served not less than 15 years but is not currently serving as an elected, appointed, or employed peace officer under Art. 2.12., Texas Code of Criminal Procedure, or other law;
 - ii. Did not retire in lieu of any disciplinary action;
 - iii. Was eligible to retire from a law enforcement agency in this state or was ineligible to retire only as a result of an injury received in the course of the deputy's employment with the agency; and
 - iv. Is eligible to receive a pension or annuity for service as a law enforcement officer in this state or is ineligible to receive a pension or annuity only because the law enforcement agency that employed the officer does not offer a pension or annuity to its employees.
 - v. That he/she has no psychological or physical disability that would interfere with the proper handling of a handgun.
2. The completed affidavit must be returned to the Training Coordinator. The Training Coordinator will review the affidavit for completeness and present it to the Sheriff or Chief Deputy. Once approved, the Training Coordinator will work with a Bowie County Sheriff's Firearms Instructor to schedule a range.

B. Qualification

1. All retirees will be given two opportunities to pass the qualification course. The retiree must demonstrate proficiency with a minimum score of at least 70%. Failure will be recorded if the retiree fails to pass the qualification

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course after two consecutive tries. Additional retries will only be granted by authorization of the Sheriff or Chief Deputy. Failures on any subsequent retries could result in permanent exclusion from the program.

2. Retirees must supply their own handgun and it must meet the requirements set out by the Bowie County Sheriff's Office policy for off duty handguns. The handgun must be in safe working order. All handguns are subject to inspection by the Bowie County Sheriff's Office Firearms Instructor at the time of the training course. No weapon deemed unsafe by the instructor will be allowed on the range.
3. Retirees must provide their own ammunition. Only factory first run ammunition will be allowed on the range. No reloaded ammunition will be allowed under any circumstance. The Bowie County Sheriff's Office Firearms Instructor has the right to inspect and deny the use of ammunition.
4. Upon successful completion of the qualification course, the retiree will be issued a certificate of proficiency by the Bowie County Sheriff's Office Firearms Instructor. The retiree will be required to have his/her certificate of proficiency signed and notarized before returning it to the Sheriff's Administrative Assistant. The Administrative Assistant will then order a retired deputy identification card with a certificate of proficiency endorsement.

C. Retiree Identification Cards and Carrying a Handgun

1. Anytime a retiree carries a handgun under these provisions, he/she will also carry their retired deputy identification card showing their current weapons proficiency.
2. All certificates of proficiency and retired deputy identification cards showing weapons proficiency expire on the second anniversary of the date the certificate of proficiency was issued.
3. A retiree's certificate of proficiency and retired deputy identification card showing weapons proficiency may be revoked at any time by the Sheriff or Chief Deputy. A certified letter will be sent to any retiree whose privileges under these provisions are revoked. The letter will inform the retiree that the certificate of proficiency and retired deputy identification cards showing weapons proficiency:

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- i. Have been revoked;
 - ii. The retiree is no longer authorized to carry a handgun under the provisions of these sections of law; and
 - iii. The retired deputy identification card showing weapons proficiency is to be immediately surrendered to the Bowie County Sheriff's Office.
4. A retiree is not required to obtain a certificate of proficiency to receive a retired deputy identification card from this office. However, it will not contain a certificate of proficiency endorsement and the retiree will not be allowed to carry a firearm under these provisions.
5. This policy was presented to and approved by the Bowie County Commissioners' Court on August 27, 2018.

Check one: Initial ____ / Renewal ____

STATE OF TEXAS

§
§
§
§
§

AFFIDAVIT OF RETIRED BCSO
DEPUTY – ELIGIBILITY
TO DEMONSTRATE
WEAPONS PROFICIENCY

COUNTY OF BOWIE

BEFORE ME, the undersigned authority, personally appeared _____,

whose date of birth is _____, whose address is _____,

Street address

_____, _____, Texas _____, and who made this Affidavit and,
City County Zip Code

on oath, stated the following:

I meet the eligibility requirements set out in Section 1701.357 of the Texas Occupations Code to authorize me to demonstrate weapons proficiency. This includes:

[Initial the items below that apply to you. By initialing each line on this affidavit, you are certifying that the information on that line is true and correct.]

INITIAL

- _____ 1. I am an honorably retired deputy of the Bowie County Sheriff's Office, and I retired after not less than 15 years of service as a commissioned officer.
- _____ 2. My license as a commissioned officer was not revoked or suspended for any period during my term of service as a commissioned officer.
- _____ 3. I have no psychological or physical disability that would interfere with my proper handling of a handgun.

Social Security Number (for TCLEOSE records): _____

Date of Retirement: _____

Employee Number (if known): _____

Affiant's signature

Witnessed before me, this _____ day of _____, 20_____.

Notary

APPROVED: DENIED:

Sheriff's or Chief Deputy's Signature Date

Application must be approved PRIOR TO proceeding to Firing Range for proficiency testing.

**Bowie County Sheriff's Office
CERTIFICATE OF FIREARMS PROFICIENCY**

Applicant

First Name	M.I.	Last Name	TCLEOSE PID or SSN
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Weapon Type(s): Semi-Automatic Revolver

Firearms Instructor

First Name	M.I.	Last Name	<input type="checkbox"/> TCLEOSE Firearms Instructor <input type="checkbox"/> CHL Instructor # _____
Law Enforcement Agency/Business Name		Mailing Address	
City	County	Zip Code	Telephone Number
Range Location (if other than the above address)			Date of qualification

I, _____, certify that the above named applicant has met the minimum
Firearms/CHL Instructor
firearms proficiency requirements as established in TCOLE Commission Rule §217.21 (c)(1) under the following conditions:

- (1) B-27 or similar silhouette target;
- (2) Combat scoring;
- (3) A minimum of 50 rounds,
- (4) Fired at ranges from point blank to at least 15 yards with a least 20 rounds at or beyond seven yards;
- (5) Including at least one timed reload; and
- (6) Minimum passing percentage of 70 (175 out of a possible 250 for 50 rounds).

Signature of Firearms/CHL Instructor

Date

Affidavit

I, _____, do swear or affirm that I meet the requirements established in the Texas
Applicant

Occupations Code §1701.357 Weapons Proficiency for Certain Retired Peace Officers and Federal Criminal Investigators and Chapter 44, Title 18, United States Code, Section 926C(c) Qualified Retired Law Enforcement Officers. I am honorably retired (benefits eligible) after not less than a total of 15 years of service as a commissioned peace officer with one or more state or local law enforcement agencies or federal criminal investigator as designated by the Texas Code of Criminal Procedure Article 2.122-, or a qualified retired law enforcement officer under Chapter 44, Title 18, United States Code, Section 926C.

My license or authority as a commissioned officer was never revoked or suspended for any period during my term of service as a commissioned officer. I was not retired for reasons of mental instability and have no psychological or physical disability that would interfere with the proper handling of a handgun. I have met the minimum qualifications for a handgun as established in TCLEOSE Commission Rule §217.21(c)(1).

Signature of Applicant

Date

Sworn to and ascribed before me the undersigned official on this _____ day of _____, _____.

Notary Public

BODY WORN CAMERAS

(01-22-19)

With advancements in technology, the use of body worn cameras (BWC) is becoming more and more prevalent in law enforcement. BWCs allow deputies to record videos that are useful in documenting evidence for future court proceedings. These recordings may also be used to protect deputies from false allegations of misconduct as well as provide training material for incident debriefing. BWCs allow for more accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to support the accuracy of deputies' reports and testimony in court. This BWC policy does not govern the covert use of recording devices in undercover operations.

A. When and How to Use the BWC

1. When safe to do so deputies shall activate the BWC during all calls for service and law enforcement-related activities to include but not limited to:
 - i. Any pedestrian or vehicle stop
 - ii. Investigations and interviews of criminal acts, such as family violence
 - iii. Arrests
 - iv. Searches
 - v. Use of Force
 - vi. Critical Incidents
 - vii. Pursuits
 - viii. Any encounter with the public that becomes confrontational
2. In locations where individuals have a reasonable expectation of privacy, such as a residence, a recording should not be made unless the recording is being made as part of an ongoing investigation, a police action resulting from a call for service, an offense observed by the deputy or during the execution of an arrest or search warrant.

2-P

3. The BWC shall remain activated until the event is completed to ensure the integrity of the recording unless deactivation is authorized by this policy or a supervisor.
4. Deputies should consider activating the BWC immediately upon being dispatched to a call for service to minimize the possibility of an accidental non-activation. The primary consideration for not doing so should be the length of a deputy's response time.
5. If a deputy fails to activate the BWC when required to do so, fails to record the entire contact or interrupts the recording, he or she shall document in their report why the recording was not made, was interrupted or was terminated. When possible, deputies should verbally document the reason for stopping a recording on camera prior to doing so.
6. The public shall not be allowed to review the recordings at the scene.

B. Procedures for BWC Use

1. Deputies who are assigned BWC equipment must use the equipment when in uniform unless otherwise authorized by supervisory personnel. This includes working authorized uniformed off-duty jobs. On duty use is authorized, but not required for plain clothes deputies.
2. Deputies shall only use BWCs issued by this Office. The BWC equipment and all data, images, video and metadata captured, recorded or otherwise produced is sole property of the Bowie County Sheriff's Office.
3. Deputies who are assigned BWCs must complete training on its proper use and operation.
4. If the recording is only intended to capture an interview with a victim of an offense and the victim requests the deactivation of the camera, the deputy may elect to discontinue the recording.
5. Deputies shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior approval of the Sheriff or Chief Deputy.

6. Accessing, copying, editing or releasing recordings or depictions of recordings without proper approval is prohibited. This restriction does not apply to recordings that are released by the administrative staff as a requirement through the Public Information Act request process or as required through the evidentiary sharing process for criminal investigations or prosecutions.
7. Any uploading or converting recordings for use on any type of social media is prohibited, unless it is approved by the Sheriff or Chief Deputy.
8. As required by state law, a deputy may access any recording of an incident involving the deputy before being required to make any statement about the incident.
9. Requests for deletion of portions of the recordings, in the event of a personal recording, must be submitted in writing and approved by the Sheriff or Chief Deputy.
10. Deputies shall note in offense, incident, arrest and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

C. Restrictions on Using the BWC

1. BWCs shall only be used in conjunction with official law enforcement duties. The BWC shall not be used to record:
 - i. Private communications with other law enforcement personnel without the permission of the Sheriff or Chief Deputy
 - ii. Encounters with undercover officers or confidential informants
 - iii. When discussing administrative, investigative, tactical or law enforcement sensitive information, including unit meetings and briefings
 - iv. When on break or otherwise engaged in personal activities

D. Data Storage

1. Each deputy shall upload all files periodically and no later than the end of each shift. Any digital media recordings made while working approved off-duty employment shall be uploaded no later than the beginning of the deputies' next regular duty shift, except in the event of a serious incident or

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when requested to do so by a supervisor. In these cases, the recording should be uploaded as soon as possible.

2. In the event of a serious incident such as deadly force encounters or in-custody deaths, access to all recorded files will be restricted to individuals directly involved in the investigation of the incident.
3. Files should be securely stored in accordance with state retention laws and no longer than useful for purposes of training, or for use in an administrative or criminal investigation or prosecution. Non-evidentiary recordings will be maintained for a minimum of 90 days.

E. Supervisory Responsibility

1. Supervisory personnel shall ensure that deputies under their command who are equipped with BWCs utilize them in accordance with this policy. Supervisors shall randomly review BWC recordings made by their subordinates to accomplish this goal.
2. Supervisors may have the ability to resolve citizen complaints by reviewing video captured by a deputy's BWC, in accordance with policy pertaining to citizen complaints.

F. Equipment Maintenance and Inspection

1. Deputies assigned a BWC are responsible for maintaining a clean, operable and charged camera.
2. Deputies shall inspect and check the BWC prior to each shift to verify proper functioning. Equipment malfunctions shall be brought to the attention of the deputy's supervisor as soon as possible to ensure the unit is repaired or replaced as needed.

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IN-CAR CAMERA SYSTEMS

(04-29-19)

The Bowie County Sheriff's Office has equipped designated patrol units with an in-car camera system. The camera system is designed to assist deputies in the performance of their duties. It is used to record certain activities thereby providing a visual and/or audio documentation. Recordings are intended to provide an unbiased record of each incident and supplement the deputies report.

A. Operation

1. The camera system is designed to automatically trigger when any of the following are detected:
 - i. The patrol unit's lights or siren are activated
 - ii. The patrol unit exceeds a preset speed
 - iii. The patrol unit is involved in a collision
 - iv. The patrol unit's weapons mount is unlocked
 - v. Manual activation by pressing the record button or activating the wireless microphone
2. Deputies shall turn off the vehicle's AM/FM radio while the camera system is recording and there subject in the backseat of the patrol unit.
3. Deputies shall not:
 - i. bypass or override the automatic activation of the camera system
 - ii. edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner camera system recordings without prior approval of the Sheriff or Chief Deputy

B. Procedures

1. Deputies will always use a patrol unit equipped with an in-car camera system unless otherwise approved by a supervisor.

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2. When checking on duty all deputies will login to the camera system and ensure it is working properly.
3. Deputies shall immediately notify their supervisor if the camera system is not working properly and note the issue on their vehicle inspection report.
4. Accessing, copying, editing or releasing recordings or depictions of recordings without proper approval is prohibited. This restriction does not apply to recordings that are released by the administrative staff as a requirement through the Public Information Act request process or as required through the evidentiary sharing process for criminal investigations or prosecutions.
5. Any uploading or converting recordings for use on any type of social media is prohibited, unless it is approved by the Sheriff or Chief Deputy.

C. Use

1. There is no way to describe every possible situation where the in- car camera system may be used. In some circumstances, it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements.
2. Unless the delivery of emergency police services would be prevented, a deputy's personal safety would be jeopardized or police strategy is being discussed, deputies will ensure the camera system is always fully activated either manually or automatically on:
 - i. Traffic stops
 - ii. Pursuits
 - iii. DWI investigations including field sobriety testing
 - iv. Investigatory stops whether the subject is on foot or in a vehicle
 - v. Interviews, interrogations or other investigative activities
 - vi. Prisoner transports
 - vii. Any code 3 operation of a patrol unit
 - viii. Any other time the deputy believes the use would be beneficial
3. Once the camera system is activated it shall remain on until the conclusion of the incident unless an exception is met or authorized by a supervisor.

4. Deputies shall note in offense, incident, arrest and related reports when recordings are made during an incident. Should a deputy's camera system malfunction during an incident, the deputy should also note this in their reports.

D. Data Storage

1. All recordings should be appropriately labeled as soon as practical after the recording is completed. This ensures that data files are associated with the proper case and are assigned the proper retention level.
2. Each camera system is designed to upload files from the field via cellular data provided by the Bowie County Sheriff's Office in each patrol unit. Deputies shall regularly check to verify that files are being properly uploaded and report any problems to their supervisory.
3. In the event of a serious incident such as deadly force encounters or in-custody deaths, access to all recorded files will be restricted to individuals directly involved in the investigation of the incident.
4. Files should be securely stored in accordance with State retention laws and no longer than useful for purposes of training, or for use in an administrative or criminal investigation or prosecution. Non-evidentiary recordings will be maintained for a minimum of 90 days.

E. Supervisory Responsibility

1. Supervisory personnel shall ensure that deputies under their command who use in-car camera systems utilize them in accordance with this policy. Supervisors shall randomly review camera system recordings made by their subordinates to accomplish this goal.
2. Supervisors may have the ability to resolve citizen complaints by reviewing video captured by a deputy's camera system, in accordance with policy pertaining to citizen complaints

3-A

TRAINING OF SHERIFF'S OFFICE PERSONNEL

It is the intent of the Bowie County Sheriff's Office to provide a training system that will meet the needs of Sheriff's Office employees as well as the needs of the public they serve.

A. TRAINING COORDINATOR

1. The Sheriff may designate a Training Coordinator. The Training Coordinator will provide for the training needs of both sworn and non-sworn personnel.
2. The Training Coordinator will:
 - a. plan and develop training programs;
 - b. notify personnel of required training and what training is available;
 - c. maintain training records;
 - d. ensure that training programs are attended; and
 - e. implement in-service training programs.

B. ACADEMY TRAINING

1. Appropriate approved academies selected by the Sheriff will be utilized to train deputies according to TCOLE rules and regulations.

C. INSTRUCTORS

1. Bowie County Sheriff's Office Instructors will be certified by the Texas Commission on Law Enforcement. Instructors must demonstrate the skills, knowledge and ability to teach in the area to which they are assigned.
2. All instructors from outside the Sheriff's Office should have completed a recognized instructional program.
3. When appropriate and with the approval of the Sheriff, the Training Coordinator may arrange for training from other Criminal Justice Agencies and the Public and Private Sector.

D. TRAINING OF NEW DEPUTIES

1. All newly hired, non-licensed Peace Officers will attend and successfully complete an approved training academy prior to field assignment.

3-A

2. New deputies with prior experience and training will be assigned with a Training Officer for an abbreviated time to become acclimated to the Bowie County Sheriff's Office, policies & procedures and Bowie County geography. New inexperienced deputies will remain with Training Officers until they are able to function on their own or it is determined they are incapable of functioning on their own.

E. RESERVE DEPUTY TRAINING

1. Reserve Deputies are required to meet all the required TCOLE mandates of full time deputies.

F. CIVILIAN TRAINING

1. Civilian employees will be sent to available training that is appropriate for their assignment and will enhance their contribution to the Sheriff's Office and the citizens of Bowie County.

G. IN-SERVICE TRAINING

1. Annual in-service training SHALL include the below listed:
 - a. Use of Force Policy
 - b. Firearms Qualification
 - c. Policy and Procedure Updates
2. Annual in-service training MAY include but not limited to:
 - a. Legal Updates
 - b. New Investigative Techniques
 - c. Transporting Arrested Persons
 - d. Motor Vehicle Pursuits

H. SPECIALIZED TRAINING

1. Specialized training will be provided to those employees whose assignments require them to have an advanced level of training, job knowledge, and/or performance. These areas are:
 - a. Criminal Investigators;
 - b. Juvenile Investigator;
 - c. Instructors;
 - d. Civil Process
 - e. Other areas that may be designated.

I. ATTENDANCE

3-A

1. The Training Coordinator will notify personnel of up coming required training and other training that may be available to them. It is each employee's responsibility to attend and/or complete the TCOLE and Sheriff's Office required training. Failure to complete the required training may result in disciplinary action up to and including termination of employment with the Bowie County Sheriff's Office.
2. The Training Coordinator will ensure required training occurs often enough that each employee will have ample opportunity to receive it during the TCOLE required time period.
3. Supervisors shall attempt to adjust scheduling to allow officers the opportunity to attend training, while maintaining the man power requirements of the shift or division.

J. TRAINING RECORDS

1. The Training Coordinator will keep training files on all employees. Files will be kept on all in-house in-service training classes. These files will contain:
 - a. Course content to include lesson plans;
 - b. Names of attendees; and
 - c. Performance of individual attendees as measured by tests.
2. Training files will be released to outside agencies or individuals only under the following conditions:
 - a. Under court order;
 - b. To an outside training facility if the information is needed for additional training;
 - c. Upon approval of the Sheriff, and
 - d. At the request of the officer.

Revised January 15, 2015

3-B BOWIE COUNTY SHERIFF'S OFFICE PERFORMANCE OF DUTY POLICY

The performance of each Bowie County Sheriff's Office employee will be monitored daily by the supervisor(s) of each employee.

A Supervisor's Report Form is provided to supervisors for written documentation of an employee's job performance, including discipline problems or commendation.

Supervisors will keep employees advised of their employment performances during routine briefings or meetings with the individual employee. Supervisors shall review an employee's paperwork including offense reports, arrest reports, supplemental reports, vehicle reports, property reports, probable cause affidavits, and other forms of paperwork. Supervisors shall review their field observations of the employee's performance with that employee. These reviews should include all ranks. If the performance of an employee is determined to be unsatisfactory or in need of corrective action, the supervisor will advise the employee of the necessary performance improvements. The primary goals will be to help enhance the employee's performance to better serve the citizens of this county, the sheriff's office and improve the employee's law enforcement career. This advisory will be made in writing on the Bowie County Sheriff's Office Supervisor's Report form and forwarded up the chain of command to the Division Captain, Chief Deputy, and Sheriff. Both the supervisor and the reviewed employee shall sign the Supervisor's Report Form.

The supervisor will observe the performance of the employee's duties after the said employee has been made aware of the corrective action necessary, and will report the employee's progress to the Division Captain. The Chief Deputy and Sheriff will be advised of the performance progress in writing.

If the employee fails to improve the performance of his or her duties to the satisfaction of the Divisional Captain; a recommendation for disciplinary action will be made through the Chief Deputy to the Sheriff. Disciplinary action may range from verbal or written reprimands through termination, at the discretion of the Sheriff.

An employee demonstrating employment performance that is more than satisfactory should be advised in writing, also. Above satisfactory employment performance will be noted on the Bowie County Sheriff's Office Supervisor's Report. These reports will be forwarded up through the chain of command to the Sheriff.

SUPERVISOR'S REPORT BOWIE COUNTY SHERIFF'S OFFICE

 COMMENDATION

 CORRECTION

EMPLOYEE'S NAME	RANK	ASSIGNMENT	SHIFT	DATE
-----------------	------	------------	-------	------

SUMMARY

EMPLOYEE'S ACKNOWLEDGMENT

DATE

EMPLOYEE'S COMMENT (OPTIONAL)

SUPERVISORS	DATE	RECOMMENDATIONS
REPORTING		<input type="checkbox"/> CONSIDER ON TRANSFER / PROMOTION <input type="checkbox"/> BASIS FOR HIGHER DISCIPLINE IF OTHER INFRACTIONS OCCUR <input type="checkbox"/> OTHER:
LIEUTENANT		<input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE <input type="checkbox"/> COMMENT:
CAPTAIN		<input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE <input type="checkbox"/> COMMENT:
CHIEF DEPUTY		<input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE <input type="checkbox"/> COMMENT:

3-C

CITIZEN COMPLAINTS (AGAINST PERSONNEL)

It is the policy of the Bowie County Sheriff's Office to provide citizens with a fair and effective avenue for redress of their legitimate grievances against employees of the Sheriff's Office. The Sheriff's Office seeks to maintain its integrity and that of its employees. The Sheriff's office will accept and investigate all signed written complaints of misconduct or wrong doing from any citizen.

A. PERSONNEL RECEIVING CITIZEN COMPLAINTS

Deputies and Secretaries receiving citizen complaints against a Sheriff's Office Employee shall immediately forward the complaint to the employee's Supervisor. The Supervisor will attempt to resolve the complaint from the citizen. If the supervisor is unable to resolve the complaint the supervisor will immediately forward it to the Division Captain. In the event the supervisor resolves the complaint he will forward the complaint and his resolution to the Division Captain. The Division Captain will forward the Chief Deputy and Sheriff the complaint, and it's resolution..

B. REPORTED CRIMINAL ACTIVITY BY PERSONNEL

Any employee receiving a report of criminal activity by another employee shall immediately and discreetly notify the Division Captain, Chief Deputy or Sheriff.

C. CONDUCTING INVESTIGATIONS

After receiving an unresolved citizen complaint, the Sheriff or the Sheriff's Designee will assign an investigation of the complaint. The employee under investigation will be advised of the investigation in a timely manner. The designated investigator shall pursue all reasonable leads and conduct a thorough investigation of the complaint. If a criminal act or omission is alleged, the employee is first advised of his/her legal rights, and if

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requested is permitted to obtain legal counsel prior to answering any questions regarding the alleged criminal offense.

D. DISPOSITION

Following a thorough and impartial examination of the available factual information, the allegations against an accused employee shall be classified as either:

UNFOUNDED – The investigation disproves the allegation of misconduct.

EXONERATED – The investigation supports the reported facts, but the conduct is not improper.

INCONCLUSIVE – The investigation yielded insufficient information either to prove or disprove the allegation of misconduct.

SUSTAINED – The investigation supports the allegation of misconduct.

Employees of the Bowie County Sheriff's Office against whom allegations are classified as sustained may receive corrective action. The corrective action taken will depend on the degree or severity of the offense, the record of the offender, and the seriousness of the consequences of the violation. Corrective action will be imposed at the discretion of the Sheriff.

The investigated employee will be advised of the results of the investigation in a timely manner.

BOWIE COUNTY SHERIFF'S OFFICE
100 N. STATELINE AVENUE TEXARKANA, TEXAS
TELEPHONE: 903-798-3149

ALLEGATION OF MISCONDUCT / COMMENDATION (circle one) # _____
(to be completed by a supervisory employee)

REPORTING PARTY'S FULL NAME: _____

RESIDENCE ADDRESS: _____

RES. PHONE: _____ BUS. PHONE _____ DOB _____ AGE _____ SEX _____

OCCUPATION _____ EMPLOYER/SCHOOL _____

NAMED EMPLOYEE (S): _____ ASSIGNED _____
DIV. _____
(Name, Physical Description)

SPECIFIC NATURE OF REPORT: _____

INCIDENT LOCATION: _____ DATE: _____ TIME: _____

DOES THE REPORT INVOLVE AN ARREST? _____ CASE # _____

WHAT WAS REPORTING PARTY DOING AT TIME OF THE INCIDENT? _____

WITNESSES NAME, ADDRESSES, PHONE: _____

THE REPORTING PARTY SHALL SUBMIT HIS/HER OWN WRITTEN ACCOUNT OF THE REPORT ON THE SUPPLEMENTARY REPORT PROVIDED (In the event the reporting party refuses or is unable to submit a written report, the receiving Deputy/Secretary shall complete the report based upon the reporting party's statement).

REPORT RECEIVED BY: _____ DATE: _____ TIME: _____

IN PERSON: _____ BY PHONE: _____ BY MAIL: _____ OTHER: _____

ASSIGNED INVESTIGATOR _____ DUE DATE _____

3-D

DISCIPLINE

The administration desires to promote efficiency, discipline, and good public relations by setting forth policies governing the conduct of every member of the Sheriff's Office.

A. EMPLOYEE REQUIREMENT

Employees are required to establish and maintain a working knowledge of Federal, State and Local laws and ordinances, and the written rules and policies of Bowie County, and the Bowie County Sheriff's Office. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the law, rule, or policy in question.

B. VIOLATIONS

Violations of the General Orders Manual, Written Directives / Policies, the Bowie County Personnel Policy, and/or Ordinances of Bowie County, Laws of the State of Texas or the United States shall subject the offender to disciplinary action which may range from a verbal or written reprimand to discharge from employment.

C. SHERIFF'S DISCRETION

Pursuant to the authority vested in his position, the Sheriff shall have the right to discipline, including suspension or discharge, any Bowie County Sheriff Office employee for incompetence, neglect of duty, immorality, drunkenness, the improper possession or use of a controlled substance, lack of confidence in the employee, or failure to obey orders given by proper authority or the orders, rules, and regulations given or promulgated by the Sheriff or other proper authority. Disciplinary action will be within the discretion of the Sheriff.

D. SUPERVISORS

The Supervisor shall investigate a suspected violation and determine if a subordinate is responsible for the violation. If the Supervisor recommends

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action, other than training, counseling or an oral reprimand, he shall report the violation and submit his recommendation to the Division Commander orally and in writing. The Division Commander will notify the Chief Deputy and Sheriff of the alleged violation.

E. EMERGENCY ACTIONS

A supervisor may relieve a subordinate from duty when he believes that the person's continued presence is a danger to himself / herself, or others or that his / her presence constitutes interference with the effective operations of the Sheriff's Office. The supervisor taking such action must immediately notify his supervisor.

F. DISCIPLINARY ACTIONS

COUNSELING and TRAINING is the most preferred means of correcting behavior. Supervisors use it when they believe such action is adequate.

ORAL REPRIMANDS are administered to emphasize the seriousness of the violation and to stress the employee avoid committing the same violation in the future. Oral Reprimands will be documented on the BCSO Supervisor's Report. Oral reprimands do not include threatening an officer, talking down to the officer, screaming at the officer, swearing at the officer, or any other form of abuse.

WRITTEN REPRIMANDS are used when the supervisor believes an oral reprimand will be inadequate to accomplish the goals. The recommendation of a written reprimand should include the proposed written reprimand when sent to the next higher organizational level for approval. The Division Commander shall determine if a written reprimand is appropriate considering the transgression, and will issue the written reprimand to the employee. The reprimand will be placed in the disciplined employee's personnel file. This does not preclude the Chief Deputy or Sheriff from issuing a written reprimand.

SUSPENSIONS are for more serious violations or when training, counseling, or oral or written reprimands have not discouraged the employee from continuing the same lesser violation. If the Division Commander determines the suspension of an employee is necessary, he will make a written recommendation to the Sheriff. The Sheriff will

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review the written recommendations from the Division Commander regarding the length of suspension without pay and decide to uphold, modify, or decline suspending the employee. A copy of the letter of suspension will be placed in the employee's personnel file.

DISMISSALS are for the most serious violations. Supervisors may make this recommendation regarding a subordinate to the Sheriff. The Sheriff will decide if lesser disciplinary action is appropriate, no disciplinary action, or to dismiss the employee.

CRIMINAL CHARGES when warranted may be filed after a complete investigation of a criminal offense conducted by the Sheriff or his designee.

G. APPEALS

Disciplinary actions may be appealed within ten (10) days to the Sheriff.

3-E

GRIEVANCE PROCEDURES

The Bowie County Sheriff's Office wishes to prevent circumstances that lead to grievances. When a dispute occurs, it is to be resolved promptly. Employees will not face adverse consequences for filing a grievance. Grievances may be filed alleging unfair treatment, discrimination, harassment, sexual harassment, and inequitable application of the rules, regulations, policies, or procedures of the Bowie County Sheriff's Office.

A. INFORMAL GRIEVANCE

Employees are encouraged to attempt to resolve the problem through an informal meeting with the immediate supervisor.

B. FORMAL GRIEVANCE

1. If no agreement is reached in the informal meeting with the supervisor a formal grievance is the next step.
2. The formal grievance must be in writing, including a statement regarding what action the employee(s) are requesting to be taken as a result of the grievance, dated and signed by the aggrieved employee(s).
3. The signed formal grievance should be submitted to the next higher supervisor for his/her consideration. In the event that the findings by the higher ranking supervisor are not to the satisfaction of the employee, he/she may then appeal these findings to the Sheriff.
4. A copy of all written grievance statements from the aggrieved employee and a copy of all written responses from supervisors shall be forwarded to the Sheriff.

C. HEARING

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At the discretion of the Sheriff, he may grant a hearing to the aggrieved employee(s), who files a timely, appeal to him.

D. Open Door Policy

The Bowie County Sheriff has an open door policy. Employees can make an appointment to meet with him to discuss personal or professional issues without fear of reprisal.

3-F

HARASSMENT & SEXUAL HARASSMENT POLICY

Harassment, including sexual harassment is contrary to basic standards of conduct between individuals and is prohibited by the Equal Employment Opportunities Commission (EEOC), and Bowie County Policy. Any employee who engages in any of the acts or behavior defined below violates policy, and such conduct will subject an employee to corrective action up to and including termination.

A. Employees who believe they have been discriminated against on the basis of sex, sexuality or in any other way harassed, should immediately report verbally and in writing, such incidents without fear of reprisal.

B. DEFINITIONS

1. HARASSMENT: Verbal, physical or visual conduct of a sexual, racial, ethnic, disabled (ADA or ADEA), or other type which, in the employee's opinion, impairs his/her ability to perform the job.
2. SEXUAL HARASSMENT: Sexual harassment is unwelcome sexual advances or visual, verbal or physical conduct of a sexual nature. This definition encompasses many forms of offensive behavior, including gender based harassment of a person of the same sex as the harasser; conduct of a sexual nature which creates an offensive, intimidating or hostile work environment; and coerced sexual conduct by a person in a position of authority in the work place.

C. Sexual or other forms of harassment of an employee by any Sheriff's Office employee or supervisor will not be tolerated. Sexual harassment by a non-employee, for example, a visitor, vendor or supplier, is also prohibited.

D. Complaints of harassment of any type will be handled through the Sheriff's Office complaint procedure which provides several options by which an employee may initiate action on a job related complaint. They include:

1. The employee's immediate supervisor
2. The next higher levels of management above the immediate supervisor

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3. The Chief Deputy
4. The Sheriff

F. OFFICIAL LAW ENFORCEMENT BUSINESS OF A SEXUAL NATURE

When, in the course of official law enforcement business, it is necessary to discuss sexually related matters or handle sexually related items, common sense will apply.

The conversation will be in a business-like manner, common courtesy and respect will be observed. Copies of official reports or property seized by members of the Sheriff's Office, will not be displayed or used in any horseplay or practical jokes.

G. CONFIDENTIALLY

All investigations into allegations of sexual harassment will be held in strict confidence. An employee who has filed a complaint will be instructed not to discuss the details of the incident(s) with anyone other than the complaint investigator, the immediate supervisors or the Sheriff. The employee may also discuss the incident with a privately retained attorney. These restrictions shall also apply to an employee against whom a complaint has been filed as well as those who may have witnessed the incident.

3-G

ADDITIONAL EMPLOYMENT

The Sheriff's Office has an obligation to regulate the conduct of employees while working for a different employer, and at the same time representing the Bowie County Sheriff's Office. It is necessary to establish procedures for additional outside employment that ensure the integrity of this agency.

A. GENERAL PROCEDURES

1. Employees will not engage in employment outside the Sheriff's Office in which the duties would be in violation of Sheriff's Office policy, legal statutes, or any acts or actions that would reflect unfavorably on the Bowie County Sheriff's Office.
2. Prior to seeking outside security employment, all employees must submit a written request to the Sheriff. The Sheriff will determine approval or denial of any request for off-duty security employment.

B. REGULATIONS

1. Off-duty employment may be denied to any officer who appears physically and/or mentally exhausted to the point that on-duty performance is affected.
2. Off-duty employment may be denied to any officer if excessive sick days are indicating that the individual can not handle both on-duty and outside employment.
3. Off-duty employment may be denied to any officer if it requires special consideration to be given for the routine scheduling of the employee's regular on-duty hours of employment.

- C. CONDUCT - Professional conduct and courtesy to the public will be afforded whenever an officer is representing this Sheriff's Office in off-duty employment. Good judgment will be used when performing duties during outside employment.

3-G

D. UNIFORMS - All Bowie County Deputy Sheriff's working security / contract overtime will wear the Department issued patrol uniform, which includes the uniform shirt with name tag and badge, black pants, and duty belt. This does not include K-9 uniforms, SWAT uniforms, CID/Services shirts and jeans. Any exceptions will be approved by the Sheriff, Chief Deputy, Division Commander, or person in charge of the assignment.

E. NON-LAW ENFORCEMENT RELATED OFF-DUTY EMPLOYMENT - Personnel desiring to perform non-law enforcement related off-duty work will comply with all appropriate sections of the Bowie County Sheriff's Office policy manual concerning actions and behaviors.

F. COMPENSATION FOR OFF-DUTY EMPLOYMENT

1. Establishing the rate of compensation for off-duty employment will be negotiated between the officer and the prospective employer. It is suggested that the agreed compensation should be comparable to the community standards for similar off-duty salaries amongst other agencies.
2. The compensation will be paid directly to the officer engaging in the off-duty employment, and will not be paid, deposited or transferred through the Bowie County Sheriff's Office payroll.
3. The Bowie County Sheriff's Office will not be responsible for the filing, reporting or maintaining of any salary and/or income records or maintaining of off-duty employment wages for any purpose, including but not limited to income tax, with-holding, or social security benefits.

Revised 2-04-2013

3-H UNIFORMS AND EQUIPMENT

Only those uniform items provided by the Bowie County Sheriff's Office shall be authorized for wear by uniformed personnel. This includes: patches, emblems, badges, name plates, etc.

- A. BODY ARMOR will be issued to personnel assigned to patrol duty who will be required to wear it while in uniform. Body armor will be replaced if deemed necessary due to a deteriorated condition. Any deputy believing their body armor is in need of replacement should have it inspected by the Division Captain.
- B. Only EQUIPMENT provided or approved by the Bowie County Sheriff's Office will be carried by on duty personnel or when acting in a law enforcement capacity. Blackjacks, slappers and knuckles are PROHIBITED EQUIPMENT.
- C. USE OF ISSUED EQUIPMENT.

- 1. All employees shall be held accountable and personally responsible for the proper handling and use of all equipment, tools or other property issued to them by the Sheriff's Office. No employee shall willfully misuse, waste or convert to his/her own use any County owned supplies, equipment or services. Improper or negligent handling of or willful damage to County property shall be subject to disciplinary action.
- 2. Employees who have lost, damaged or destroyed any equipment issued to them by the Sheriff's Office may face disciplinary action if the loss or damage is the result of negligence on their part.
- 3. Employees shall promptly report accidents, damage and the need for repairs of any County owned property issued to, used or possessed by them. No employee of the Sheriff's Office shall operate any County owned or leased vehicle in a hazardous or a reckless manner. All vehicles shall be operated in the manner prescribed by and in accordance with State Laws and approved procedures of the Sheriff's Office.

D. RETURN OF UNIFORMS AND EQUIPMENT

All Bowie County Sheriff's Office uniforms and equipment issued to employees must be returned upon their resignation or termination from employment with this Agency. All items of apparel will be returned in a neat and clean condition. All items of equipment that were assigned to or in possession of the employee

3-H

must be returned upon time of the resignation or termination. Employees leaving this Agency will be held responsible for any and all items of equipment or uniforms that is not returned.

3-I

PERSONAL APPEARANCE

Deputies and civilian personnel of the Bowie County Sheriff's Office are expected to portray and present themselves in a professional manner as the Sheriff's representatives. All employees are expected to maintain good physical grooming, personal hygiene, have a neat, clean appearance, and display a pleasant disposition to citizens and coworkers.

3-J

ALCOHOL, TOBACCO USE & SUBSTANCE ABUSE

This policy applies to all employees of the Bowie County Sheriff's Office, including deputies, civilian employees, and reserve deputies. Bowie County Personnel Policy states "Testing for Bowie County employees includes pre-employment testing, post-accident testing, and reasonable suspicion. Those employees operating vehicles may also be subject to random alcohol and drug testing."

A. ALCOHOL, SUBSTANCE ABUSE & DEFINITIONS:

LEGAL DRUG is a prescribed drug or over-the-counter medication, which has been legally obtained, and is being used for the purpose, and in the proper dosage for which it was prescribed and/or manufactured.

ILLEGAL DRUG is any controlled substance which is not legally obtainable, or is legally obtainable but was not legally obtained. Illegal drugs include, but are not limited to: marijuana, cocaine, methamphetamines, etc..

ABUSABLE INHALANT is any substance or material, and its fumes; that when deliberately inhaled can impair one's judgment and/or performance. Examples include, but are not limited to glues, aerosol paints, compressed gas dusters, and cooking sprays.

1. The consumption of alcoholic beverages will not be tolerated during or immediately preceding any working hours. The use of illegal drugs, and/or abusive inhalants will not be permitted at any time by employees of the Sheriff's Office.
2. An employee's actions, appearance, or conduct during working hours, observed by a supervisor indicating an employee is using alcohol, a controlled substance, or abusing an inhalant would indicate a reasonable cause for testing. It is then mandatory that the supervisor have a drug test performed on the employee.
3. The presence of any detectable amount of alcohol, illegal drug, abusable

3-J

inhalant or unlawfully obtained controlled substance in any employee while conducting County business, or on County premises is prohibited. Violation of this policy is cause for disciplinary action to be taken, including termination of employment.

4. Any employee who refuses to take a drug and/or alcohol test, or otherwise refuses to cooperate in any test, shall be discharged for failure to abide by the policy of this Sheriff's Office.
5. All persons being considered for employment with the Bowie County Sheriff's Office shall submit to a drug screen as part of their pre-employment physical; and their employment is conditional upon the passing of the test.

B. USE OF TOBACCO PRODUCTS

The use of tobacco products, including but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, dipping tobacco, or snuff is strictly prohibited by all employees of the Bowie County Sheriff's Office under the following circumstances:

1. While the employee is inside the Bowie County Courthouse, other County owned or leased buildings, the Bi-State Justice Building and Bowie County owned vehicles.
2. While the employee is in contact with any citizen in the performance of his/her duties.

AWARDS

The Purpose of the Awards Program is to recognize employees or civilians who demonstrate heroic or meritorious acts while serving as a member of the Bowie County Sheriff Office. All members of the Bowie County Sheriff Office are eligible for consideration for the awards described in this policy. This policy establishes the criteria for the various awards described in this policy.

- A. It is the policy of the Bowie County sheriff Office to offer awards to its officers and civilians in recognition of their performance involving acts of valor, for bravery, exceptional service, lifesaving acts or attempts, superior achievements and other achievements as described below.
- B. Recommendations for awards may be initiated by any employee and shall be in writing using the Supervisors Report form in General order 3-B. Any employee can nominate for an award if he has personal knowledge of an act performed that may qualify. The memorandum shall describe the specific circumstances of the event that causes the employee to believe that an award is appropriate. The Nominator shall also specify the type of award that he or she believes should be conferred. The nomination should be directed to the Sheriff through the chain of command. The supervisor will forward the recommendation with any applicable comments to the Sheriff who will review the recommendation to ascertain if it merits consideration by the awards committee. The award committee shall consist of three (3) commissioned employees appointed by the Sheriff. The award committee may determine that the recommendation is not merited, that the recommendation more accurately fits a lesser or higher award, or that the recommendation should be acted upon as is.
- C. Awards shall be presented in the form of medals, uniform bars, and or certificates as indicated with the exception that uniform bars will not be issued to civilian employees. To be eligible for an award employees must meet the criteria as defined under each commendation. Awards are listed in the order of importance:

1. Medal of Honor

Certificate, medal and bar



Shall be awarded to an officer who distinguishes himself by a conspicuous act and extraordinary heroism. The act must be in excess of normal demands and as such nature that the officer was fully aware of imminent danger to his personal safety, and acted above and beyond the call of duty at the risk of his life.

2. Police Cross

Certificate and Medal

Shall be awarded when an officer loses his life in the performance of duty under honorable circumstances. It may be awarded in addition to any other award to which the officer may be entitled in making the supreme sacrifice. Shall be presented posthumously to the officer's immediate family.

3. Police Medal of Valor

Certificate, Medal, and bar



Shall be awarded for exceptional bravery at imminent risk of serious bodily injury, the officer having demonstrated exceptional courage by performing a voluntary course of action in extremely dangerous situation.

4. Meritorious Conduct

Certificate and Bar



Shall be awarded to an officer for performance of duty above and beyond the normal course of duty involving exemplary courage and risk to personal safety. May be awarded to an officer for meritorious service in a duty of greater responsibility, the duty reflecting excellence in performance and the distinguishing the officer and the Sheriff Office.

5. Sheriff Commendation

Certificate and Bar



Shall be awarded for exemplary performance of duties under unusual, complicated or hazardous circumstances. May be awarded to an officer for unparalleled contribution through the success of difficult police projects, programs or situations, such contributions being made in a highly professional degree of accomplishment.

6. Life Saving

Certificate and Bar



Shall be awarded to all officers directly responsible for saving a human life. Documentation of supporting evidence, such as statements from physicians, supervisors and witnesses, must be included to substantiate a recommendation for this award. May be awarded when the evidence indicates the actions by the officer(s) prolonged a human life to the extent of the victim being released to the care of medical professionals, even though the victim might expire at a later date.

7. Purple Heart

Certificate and Bar



Shall be awarded to an employee who is seriously injured in the line of duty due to an assault. The injury must not be the result of, or concurrent with, any conduct which is less than acceptable by established standards. May be awarded to an employee who is seriously injured in the line of duty as a result of fire, explosion, or a natural disaster. Falls on ice, motor vehicle accidents and the like will not be considered unless evidence clearly indicates the employee had exhausted all reasonable precautions and had no control over the circumstances.

8. Certificate of Merit

Certificate and Bar



Shall be awarded to an officer for outstanding performance of duties. May be awarded to a civilian employee for outstanding or superior performance of an assignment over a prolonged period of time. Such performance must be clearly defined as exceptional placing the employee well above employees of equal rank or grade. Civilian employees shall receive certificate. May be awarded, without bar, to an officer from another law enforcement agency for outstanding performance while aiding assisting, or working with a deputy of the Bowie County Sheriff Office.

9. Community Service Bar

Certificate and bar



Shall be awarded to an employee who brings favorable recognition to the Office through involvement in civic affairs while acting as a representative of the Bowie County Sheriff Office.

10. Officer of the Year Bar



Shall be selected by the majority vote of the Awards committee. The officer of the year will receive a plaque which will be presented at the annual officer appreciation luncheon sponsored local service club.

11. Instructor Bar



Shall be awarded to an officer who obtains instructor certification by completion of TCOLE requirements.

12. Swat Team Member Bar

Shall be awarded to officer serving on Bowie County Sheriff Office Swat team.

Tactical



Negotiator



13. Field Training Officer Bar



Completion of TCOLE approved field training officer course and assignment as a field training officer. FTO service bar is retained after a member has been transferred or promoted.

14. Education Achievement Bar

Shall be awarded to an officer who holds a bachelors or masters degree

Bachelors



Masters



15. Peace Officer Certification Bar

Shall be awarded to officer who has completed the requirements set forth by TCOLE.

Master



Advanced



Intermediate



16. Firearms Qualification

The following criteria will be used to determine eligibility:

1. Must have been employed with the department for a period of 12 months
2. Must have attended at least 2 required firearms qualification sessions during the calendar year.

Scores from all qualification sessions attended during the year will be totaled and averaged and a final score will be obtained. Bars will be issued on score as follows:

Expert- 97-100



Sharpshooter 90-96



17. Safe Driving

Certificate and Bar



Shall be awarded for consecutive five year increments without a preventable accident. If an employee is charged with an accident a new increment begins the following day. Employees assigned to positions which require driving a vehicle for the department are eligible.

18. Perfect Attendance





Certificate and Bar



Shall be awarded to an employee who distinguish themselves by perfect attendance (no sick leave use) in one calendar year. If an employee use sick leave the day following the sick leave begins a new increment.

3K

19. Sheriff Office issues a service bar in the following increments:

Five years of service	
Ten years of service	
Fifteen years of service	
Twenty years of service	

4-A

PATROL OPERATIONS

Uniformed Patrol Deputies are on the front lines of the war on crime and are the first responders to protect citizens and their property.

Bowie County Sheriff's Office Patrol is under the command of the Operations Division Captain. Patrol consists of four twelve-hour shifts A Days, A Nights, B Days and B Nights. A Lieutenant or Sergeant commands each shift and supervises the shifts deputies.

A. PATROL DUTIES

1. Preventative patrol;
2. Response to calls for service;
3. Initial investigation of criminal offenses;
4. Collect evidence;
5. Arrest of offenders;
6. Traffic control/assist other agencies as needed;
7. Public order maintenance; and
8. Provide reports, information and other services as required.

B. PATROL OBJECTIVES

1. Provide timely response to calls for service;
2. Provide for the safety of citizens;
3. Prepare clear and precise reports of crimes occurring in the jurisdiction;
4. Provide assistance to citizens;
5. Utilize preventive patrol techniques to recognize, identify, and take measures to reduce crime and hazardous situations;
6. Maintain and properly use Sheriff's Office issued equipment, including but not limited to audio and video cameras.

C. OPERATIONAL GUIDELINES

1. Patrol Shift assignments will be made by the Operations Captain
2. Days off will be assigned by the Shift Commander
3. Deputies will make Shift Supervisors aware of information that needs to be passed on to the next shift. Shift supervisors will be responsible for forwarding the information on to the next shift and pertinent information to the Division Commander, Chief Deputy and Sheriff.
4. Supervisors will keep their subordinates informed of any new directives or

4-A

changes to existing directives.

5. All deputies will advise Communications:
 - a. upon arrival at the scene of an incident or anytime they leave their patrol vehicle;
 - b. status of their location, and any change in the incident;
 - c. on vehicle or pedestrian stops, the location, identifying information, unusual circumstances, and if any assistance is needed or;
 - d. when available for service.
6. CLEAR SPEECH will be used over the radio when communicating with this or other agencies.
7. Deputies will not allow persons other than a Bowie County Deputy Sheriff to operate a marked Bowie County Sheriff's Office Vehicle, or marked leased vehicle, unless the deputy is in the marked vehicle with them.
8. Only licensed peace officers are allowed to ride with Bowie County Deputy Sheriff's while on duty. This prohibition includes wives and other family members. A Deputy shall request permission from his supervisor before allowing an officer to ride along. SWAT attire, black T-shirt & BDU pants are not acceptable attire for the ride along. Dispatch shall be advised that the officer is riding with the deputy.

Exceptions to this policy are:

When making an extradition, another person including a family member may accompany the deputy. If the other person will be driving the vehicle, their driver' license should be check to verify it clear and valid.

When a special need arises, and is approved by the Division Captain, Chief Deputy, or Sheriff.

Revised June 7, 2016

4-B EMERGENCY RESPONDING TO CALLS

The first and foremost priority of the Bowie County Sheriff's Office when responding to calls will be officer safety and the safety of others.

On any call, the responding officer and/or a Supervisor may call for as many additional officers as deemed necessary to control the incident.

A. VEHICLE OPERATIONS

1. AUTHORIZED CODES

- a. CODE 1 – Normal non-emergency operation of a vehicle.
- b. CODE 3 - Emergency response using emergency lights and siren.

2. CODE 1- the normal non-emergency operation of a vehicle, is the safest manner for response to any situation.

3. CODE 3 – emergency operation of a vehicle, creates the greatest responsibility and liability for the officer and this agency.

4. Any Bowie County vehicle being operated CODE 3 shall have its video and audio recording devices activated at all times during the emergency response if it is so equipped. At no time during the emergency shall a deputy manually disable the video or audio recording device. The video and audio recording should only be deactivated at the conclusion of the emergency situation the deputy was initially responding to.

5. Officers are permitted CODE 3 in the following circumstances:

- a. An officer needs emergency assistance;
- b. When assigned by a Supervisor; or
- c. An officer may initiate a CODE 3 response if he/she has knowledge of the call or location, which leads him/her to believe that a CODE 3 response is necessary to PROTECT HUMAN LIFE. The officer must advise Communications of his/her intentions before initiating the CODE 3 response. A supervisor may terminate this response.

4-B

6. TERMINATION OF EMERGENCY RESPONSE

- a. When the circumstances which gave rise to the emergency response have ended or sufficient assistance has been provided by others, the officer must cease the emergency response.
 - b. The officer must cease an emergency response if directed to do so
7. The authority to operate emergency vehicles comes from the Texas Transportation Code, Chapter 546. It states this chapter does not relieve the operator of an authorized emergency vehicle from: the DUTY to operate the vehicle with appropriate regard for the safety of all persons or the CONSEQUENCES of reckless disregard for the safety of others. Officers will be held to this standard.
 8. Officers may make a traffic stop, or escort a funeral procession utilizing only his overhead lights, but will not have the authority to violate the traffic laws of the State of Texas while not utilizing the siren.

4-C MOTOR VEHICLE PURSUIT

A motor vehicle pursuit is an active attempt by a law enforcement officer operating a law enforcement vehicle (marked or unmarked) and utilizing simultaneously all emergency equipment (lights & siren) to apprehend occupant(s) of another vehicle when the driver of the fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing his speed, disobeying traffic laws, ignoring the officer, or continuing attempts to elude the officer.

PURSUIT POLICY

The pursuit policy of this agency is:

Pursuit of a suspect may be engaged whenever a reasonably prudent officer, under the same or similar circumstances, could believe, in the exercise of discretion, that the need immediately to apprehend the suspect outweighs a clear risk of harm to the public in initiating and in continuing the pursuit.

PURSUIT DRIVING PROCEDURE

The responsibility for the decision to pursue, and the methods to be employed during pursuits, rests with the individual officer. The responsibility to continue a pursuit rests with the officer and the on-duty supervisor. The officers must carefully consider all factors involved, including the seriousness of the offense, all possible consequences, and most importantly, the safety of citizens, whose protection is his major objective.

Officers will not initiate or continue a pursuit when such safety factors outweigh the need for apprehension.

The law permits officers who are engaged in pursuit to exceed the speed limit and to violate other traffic regulations as necessary in order to maintain pursuit for apprehending the violator, only: (1) if the emergency lights and siren are activated, (2) if the utmost safety is ensured for others and themselves.

4-C

Even though the officer is legally engaged in pursuit, the officer is neither relieved of his duty to drive with "due regard" for the safety of all persons nor protected from the consequences of any reckless disregard for their safety. The officer must exercise that degree of care, which a reasonable prudent person in the discharge of similar duties and under like circumstances would use.

When an officer has activated his emergency lights in an attempt to make a traffic stop of a violator and the violator suddenly speeds up and/or begins to operate his vehicle in such a manner as to endanger the safety of others, the officer shall immediately activate the siren and shall continually use both the emergency lights and siren throughout the pursuit.

WHEN A PURSUIT IS BEGUN, THE FOLLOWING APPLIES:

- (1) Unmarked deputy/sheriff office vehicles shall not become involved in any vehicular pursuit, except in aggravated offenses and then only to maintain visibility until a marked vehicle becomes involved in the pursuit.
- (2) Marked or unmarked deputy/sheriff office vehicles without operative emergency lights and sirens are prohibited from becoming involved in, or maintaining, any vehicular pursuit.
- (3) Officers transporting prisoners, witnesses, suspects, or complainants shall not become involved in a pursuit.

Although officers engaged in a pursuit may generally disregard certain traffic regulations, AT NO TIME will officers pursue the wrong way on a freeway, divided roadway, or any one-way roadway, or with complete disregard for all traffic and/or legal restrictions.

Deliberate physical contact between vehicles is prohibited.

ROLLING ROADBLOCKS WILL BE USED ONLY IN EXTREME CIRCUMSTANCES, such as a dangerous fleeing felon, etc. Officers must consider the safety of themselves and others before utilizing a ROLLING ROADBLOCK.

ROADBLOCKS will only be used as a last resort. The acceptable use of these roadblocks is to maneuver the evading vehicle into a restricted area of roadway where stop sticks can be deployed. Emergency vehicle lights shall be in operation when the police vehicle is used as a roadblock. The vehicle shall be unoccupied. An escape route through the roadblock must be established in such a manner to be maneuvered through at a reasonable speed. The roadblock shall be set up where it will afford clear visibility to traffic in all directions and to all highway users.

4-C

DEPLOYING STOP STICKS

The Stop Stick is a tire deflation device used in stopping or slowing high-speed pursuits. The purpose in deploying the spike system is to safely and quickly end pursuits in order to minimize the risk of personal injury and / or property damage. All patrol deputies will be trained in the use of the Stop Stick. The Patrol Captain is responsible to ensure each patrol deputy receives recognized training in deployment of the Stop Stick and that the training is documented in the deputy's training file. Trained deputies may deploy Stop Sticks to stop or slow a pursuit, following methods consistent with that training.

ABANDONING PURSUIT

Pursuing officers must at all times use their best judgment in evaluating and re-evaluating the pursuit, making continuous appraisals in deciding whether to continue the pursuit. Officers should never allow the element of personal challenge to enter into their decision. The decision to abandon pursuit is, under certain circumstances, the most intelligent and most professional course of action.

OFFICERS WILL NOT INITIATE OR CONTINUE A PURSUIT WHEN:

- (1) There is a clear and unreasonable danger to the officer, the fleeing violator, and/or any other person(s) due to the excessive speed and/or reckless or erratic driving by the violator, which exceeds the performance capabilities of the vehicle or the driver, and the danger created by the pursuit outweighs the necessity for immediate apprehension.
- (2) Environmental conditions (rain, fog, ice, snow, etc.) indicate the futility of continued pursuit.
- (3) The only offense is a Class C misdemeanor and the identity of the violator is known.
- (4) The pursuing officers know, or are almost certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or nonviolent felony; such as unauthorized use of a vehicle, and the safety factors involved are obviously greater than a juvenile can cope with.

THE PURSUING OFFICER OR SUPERVISOR, SHALL ABANDON A PURSUIT;
WHEN THE NECESSITY OF APPREHENSION IS OUTWEIGHED BY THE LEVEL
OF DANGER TO THE OFFICER OR TO OTHER USERS OF THE ROADWAY.

THE OFFICER AND THE ON DUTY SUPERVISOR MUST BE ABLE TO JUSTIFY
THE CONTINUANCE OF ANY PURSUIT.

4-C

At the conclusion of all pursuit situations a Vehicle Pursuit Report will be completed and forwarded to the Captain of Patrol, who shall review the pursuit and forward report to the Sheriff.

Revised 10-26-06

Vehicle Pursuit Form

Date of Pursuit _____ Day of the Week _____
Number of units involved in the pursuit: BCSO _____ Other Agency _____
Primary Unit Number _____
Driver _____ age _____ sex _____ M / F, years of service _____
Passenger _____ age _____ sex _____ M / F, years of service _____
Secondary Unit Number _____
Driver _____ age _____ sex _____ M / F, years of service _____
Passenger _____ age _____ sex _____ M / F years of service _____

VIOLATIONS KNOWN AT BEGINNING OF PURSUIT _____

How was the Officer notified of the violations? (on view / citizen information /
dispatched information / other _____

Violations observed during pursuit _____

Other violations reported after pursuit began _____

Characteristics of Pursuit
Time start _____ end _____
Location start _____
end _____
Length of Pursuit (miles) _____ highest speed attained _____
Roadway type and surface condition _____

Weather Conditions _____
Traffic Conditions _____

Other Agencies and their Involvement: (initiated pursuit / joined in pursuit / assumed
pursuit / other involvement)

**VEHICLE PURSUIT FORM
SUPERVISOR'S NARRATIVE**

Why was pursuit allowed to continue?

Was pursuit undertaken in accordance with Sheriff's Office policy? If not explain.

Reporting Supervisor's Signature _____ **Rank** _____ **Date** _____

I approve / disapprove of the actions taken in this pursuit as reported.
Division Commander _____ **Date** _____

Recommendations: _____

4-D

HANDLING DOMESTIC DISTURBANCES

It is the objective of the Bowie County Sheriff's Office to provide the fullest protection under the law to the victims of family violence, and to make the appropriate arrest of the perpetrator.

In accordance with Texas Code of Criminal Procedure Art. 5.04. The primary duties of a peace officer who investigates a family violence allegation or who responds to a disturbance call, which may involve family violence are to protect any potential victims of family violence, enforce the law of this state, enforce a protective order, including an order from another jurisdiction as provided by Chapter 88 Family Code, and make lawful arrests of violators. A Peace officer investigating an alleged family violence offense shall inform the victim of his/her right to a pseudonym name as required by Chapter 57B of the Texas Penal Code. A peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence shall advise any possible adult victim of all reasonable means to prevent further family violence, including giving written notice of a victim's legal rights and remedies and of the availability of shelter or other community services for family violence victims.

- A. Priority will be given to restoring order, protecting victims, emergency medical aid, and making arrests for criminal violations.
- B. Officers shall:
 - 1. Control the volatile situation.
 - 2. Inform the victim of the alleged family violence of his/her right to use a pseudonym name on all reports.
 - 3. Obtain a written statement from the victim and any witness.
 - 4. Collect evidence and photograph injuries and the scene
 - 5. Arrest the perpetrator of family violence if probable cause exists.
 - 6. Deputies will attempt to determine the primary aggressor. Dual arrests are discouraged.
 - 7. In the event dispatch receives a secondary call advising that law enforcement is no longer need and to disregard the call, the deputies responding to the domestic violence call will continue with their response, and make contact with the victim.
- C. If the offender has fled from the scene, officers shall exercise all reasonable means in locating and apprehending the offender. If the offender cannot be located or cannot be immediately and lawfully apprehended, officers shall file the appropriate report in order that charge(s) can be filed and a warrant issued for the offender.

4-D

D. The victim's refusal to press criminal charges shall not affect a decision to arrest.

E. Protective Orders:

1. All valid and current Protective Orders will be kept on file in the Central Records and Communications Section. Extensions will be attached to the original orders. Officers will verify the existence and conditions of the Protective Order through Communications prior to making an arrest.
2. If probable cause exists to believe that a Protective Order has been violated, officers shall arrest without a warrant if the violator is located and can be lawfully apprehended. If the violator cannot be located, officers shall file an offense report.
3. No person, including the person who is protected by the Protective Order, may give permission to anyone to violate any provision of a Protective Order.
4. Protective Orders are valid for a period specified in the Order not to exceed two years from the date of issuance. Extensions may be granted and will be attached to the original Order.

F. Temporary ex parte protective orders are only enforceable by law enforcement if the subject of the order has been served with it.

G. Magistrate's Order for Emergency Protection:

1. Is enforceable until the 61st day after issuance.
 2. If probable cause exists to believe that a Magistrate's Order for Emergency Protection has been violated, officers shall arrest the violator without a warrant if the violator is located and can be lawfully apprehended.
 3. If a violator cannot be lawfully apprehended, officers shall file an offense report.
- H. In all situations of known or suspected family violence, a written report will be made by the officer. Officers shall indicate on the report that the report is in reference to a family violence situation and the report shall include the following:
1. A written statement of the reason for not arresting, if no arrest is made, unless the offense report indicates the suspect could not be located;
 2. A description of the suspect, including all known identifiers, addresses, telephone numbers, place of employment, etc.
 3. A narrative of the incident including a statement of any visible or reported injuries;

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4. Information on witnesses; including all known identifiers, addresses, telephone numbers, place of employment, etc.
5. In all situations of known or suspected family violence, officers will provide adult victims or potential victims with a "NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE" form.
6. If applicable, state in the offense report narrative that the victim was advised of His / her right to use a pseudonym name, and he/she declined.

Revised January 15, 2015

MISSING PERSONS AND RUNAWAYS

It is the policy of the Bowie County Sheriff's Office to treat all reports of missing persons with full consideration and attention by carefully recording and investigating all circumstances surrounding the disappearance. Officers will exercise particular care in instances involving missing children and those persons who may be mentally or physically impaired or others who are insufficiently prepared to take care of themselves.

A. MISSING PERSONS

1. Reports from citizens will be accepted on all persons who become missing persons in the jurisdiction of the Bowie County Sheriff's Office, or who were last seen in this jurisdiction. The reporting party need not be in Bowie County to file a report.
2. Reports will be accepted from other law enforcement agencies when notified officially by mail, teletype, fax or telephone. When taking reports directly, the person taking the report will identify the reporting agency, the reporting officer and the agency telephone number.
3. **Reports will be taken immediately; no arbitrary waiting period will be required.** Missing persons will be entered in NCIC as soon as possible, but not later than two hours after receiving the report.
4. Reports should not be taken from citizens when the person did not become missing from this jurisdiction, nor was last seen in this jurisdiction, and where there is no reason to believe the person is in Bowie County. The reporting party should be tactfully informed how to file the initial report with the agency having jurisdiction, with assurance that we will assist in any requested follow-up. NOTE – Officers may take reports contrary to this policy at the request of the Sheriff, in an attempt to assist citizens of this County.
5. An immediate and continuing investigation will be conducted when the missing person is:

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- a. Because of age may be unable to properly safeguard or care for himself / herself.
 - b. A person who is mentally incompetent (for this purpose, competency will be measured by the subject's ability to provide for their personal safety, necessities or medication, and their ability to communicate); or
 - c. May be subject of foul play.
 - d. Has recently demonstrated a potential for suicide
 - e. May have been involved in a boating, swimming, or other sporting accident or natural disaster
6. When a continuing investigation is required, the officer handling the call will notify Communications, and his/her Supervisor. The Deputy or Supervisor will request any necessary assistance and begin a systematic search.
- a. The Supervisor will notify the Sheriff, Chief Deputy and the Division Captain.
 - b. While a continuing investigation is being conducted, the Supervisor will keep the Sheriff, Chief Deputy or Division Captain apprized of details and activity. Reporting will continue until the person is found or the search is discontinued.
 - c. Ordinarily, searches will continue until the person is located. When a determination is made to discontinue the search, it will be the responsibility of the Division Captain, to determine that there is no practical reason to continue the search. This decision will be based on factors such as information learned, the absence of workable information, and the absence of some indication of harm or a criminal act committed against the person.

B. ELDERLY, SENILE PERSONS

1. If an officer contacts an elderly person who is lost or incapable of the mental ability to state his/her name and address, the officer will contact Communications and determine if a Missing Persons Report has been made or if any information pertaining to the person is available. If no information is available, the officer making the contact will take the necessary steps to locate someone who knows the individual or location of his residence. The office may have to contact the Aged & Disabled Division of the State Department of Protective and Regulatory Services.
2. Should an officer come into contact with an elderly, senile person who is

4-E

obviously a danger to himself/herself or others, the procedures for Emergency Mental commitment will be followed.

3. In all cases involving a found elderly, or senile person, who may have been victimized an offense report will be completed.

C. Missing Child / RUNAWAYS

A Missing Child means a person under 18-years of age, whose whereabouts are unknown to the child's legal custodian, the circumstance of whose absence indicates that:

1. the child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized;
2. the child voluntarily left the care and control of his legal custodian without the custodian's consent and without intent to return; or
3. the child was taken or retained in violation of the terms of a court order for possession of or access to the child.

Missing Child or Juvenile Runaway reports will be taken immediately. Standard routine patrol procedures will be initiated in an effort to locate the child / runaway. Refer to A-5 above in determining the scope of the search. Communications will be provided all pertinent information for computer entry and dissemination. The officer will make an offense report concerning the missing child / runaway, complete with all information necessary for the Juvenile Investigator to continue the investigation.

D. Article 63 of the Texas Code of Criminal Procedure mandates certain actions by the responding agency in connection with a missing person.

1. At the time that a report is made for a missing adult or child, the officer taking the report shall give a medical and dental records release form to the parent, spouse, adult child, or legal guardian who is making the report.
2. The officer shall endorse these forms with the notation that a missing child or missing adult report has been completed. The Complaint Control Number should be placed at the top of these forms.
3. The missing person's spouse, adult child, parent, or legal guardian must sign the release.
4. The medical and dental records release shall be made a part of the permanent report. The original records release will be forwarded to the investigator.
5. The assigned investigator shall obtain the original medical and dental records release forms and present them to the appropriate parties. The investigator upon obtaining the necessary files or information will submit these, along with the Department of Public Safety Missing

4-E

Children and Missing Person report form, to the Missing Children and Missing Person Information Clearinghouse.

6. The Attorney General has advised that runaway children who voluntarily leave the care and control of their legal custodian without the custodian's consent and without intent to return are not considered "missing children" under chapter 63 if the custodian knows where the child is located.
7. Article 63.009 requires a law enforcement official who locates a 17 year-old who has been reported as a missing child to take possession of the child and deliver the child to the person entitled to his or her possession or to the Department of Protective and Regulative Services. (An officer cannot incarcerate a 17-year-old runaway in the Juvenile Detention Center or in an adult jail.) The officer may use force to take possession of a missing child, but only to the degree the officer reasonably believes is necessary to safeguard or promote the child's welfare consistent with the protective purpose.

E. Texas Amber Alert Network and Texas Silver Alert Network are valuable assets to law enforcement in the attempt of locate abducted children who are in danger of serious bodily injury or death, or missing persons over 65 years of age, who have a diagnosed impaired mental condition that the disappearance pose a credible threat to the senior citizen's health and safety. Attached are the Texas Department of Public Safety Amber Alert and Silver Alert submission forms, form instructions and requirements for submission as required by DPS.

Revised January 15, 2015



Texas AMBER Alert Network Activation Instructions

State AMBER Alert Criteria

All five (5) criteria must be met in order to activate the Network.

- Is this child 17 years of age or younger?
- Does the law enforcement agency believe that the child has been abducted, that is, unwillingly taken from their environment without permission from the child's parent or legal guardian or by the child's parent or legal guardian who commits an act of murder or attempted murder during the time of the abduction?
- Is there reason to believe that the victim is in immediate danger of serious bodily harm or death?
- Is it confirmed that an investigation has taken place that verifies the abduction and has eliminated alternative explanations for the missing child?
- Is there sufficient information available to disseminate to the public that could assist in locating the child, suspect, or vehicle used in the abduction?

How to Request Activation of the Network

- Requests for activation of the Network must come from a law enforcement agency.
- A requesting agency is required to take the following actions:
 - Fax the AMBER Alert Request Form to the State Operations Center, Governor's Division of Emergency Management (GDEM). This form may be found at www.txdps.state.tx.us. Fax numbers are (512) 424-2281 or (512) 451-2291.
 - Email a photograph of the missing child and suspect if available to the GDEM at soc@txdps.state.tx.us.
 - Contact the GDEM at (512) 424-2208 or (512) 424-2277 to ensure fax and email were received.
 - Ensure that a knowledgeable law enforcement officer will be available to discuss the request with a representative of the Texas Missing Person's Clearinghouse at the Texas Department of Public Safety (DPS).
 - Contact the GDEM at the phone number listed above to inform when the child is located, or if an extension of the 24-hour activation period is needed.

Activation

- Once DPS has confirmed that a request for activation of the Network meets the criteria noted above, GDEM immediately notifies the following for dissemination of information within the advisory area:
 - Local, state and federal law enforcement agencies;
 - Primary media outlets;
 - National Weather Service;
 - Texas Department of Transportation;
 - Texas Lottery Commission;
 - Independent Bankers Association of Texas; and
 - National Center for Missing and Exploited Children.
 - GDEM creates a flyer for distribution through **www.BeyondMissing.com** to businesses and individuals within the advisory area.
 - GDEM remains in contact with the requesting agency if extensions beyond the initial 24-hour activation are required.

Texas AMBER Alert Regional Programs

- Texas regional AMBER Alert programs are an effective tool, providing rapid public notification through organized local resources. Each regional program operates independent of the State Network and must be contacted separately to request activation.
- To verify if your agency participates within a regional AMBER Alert program contact the GDEM at **(512) 424-2208** or **(512) 424-2277**.

How to Receive AMBER Alerts

- Register to receive AMBER Alerts at:
 - www.BeyondMissing.com
 - www.wirelessamberalerts.org

TEXAS DEPARTMENT OF PUBLIC SAFETY

AMBER ALERT REQUEST FORM

Fax (512) 424-2281 or (512) 451-2291 AND Call (512) 424-2277 or 2208

MAXIMUM ACTIVATION - 24 HOURS

Reporting Agency Information:

Yes No Activation Criteria:

Date of Request	<input type="checkbox"/>	<input type="checkbox"/>
Name of Reporting Agency		
Name/Title of Investigating Officer		
Contact Number for Investigating Officer		
Fax Number for Reporting Agency	<input type="checkbox"/>	<input type="checkbox"/>
Authentication Password	<input type="checkbox"/>	<input type="checkbox"/>
Phone Number for Media Inquiries	<input type="checkbox"/>	<input type="checkbox"/>

- (A) Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder or murder? **OR**
 (B) Is this child 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian, by:
 (i) someone unrelated and more than three years older, or
 (ii) another parent or legal guardian who attempted or committed murder at the time of the abduction?
IF THE ANSWER TO 1(A) OR 1(B) IS YES, CONTINUE:
- Is this child in immediate danger of sexual assault, death or serious bodily injury?
IF THE ANSWER TO 1 & 2 ABOVE IS YES, CONTINUE:
- Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?
IF THE ANSWER TO 1, 2 & 3 ABOVE IS YES, CONTINUE:
- Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?

❖ IMPORTANT: DO NOT SEND THIS FORM TO DPS UNLESS YOU MEET ALL FOUR CRITERIA ABOVE. If activated, your request is only valid for a 24 hour period. All extension requests must be made by contacting (512) 424-2277 or 2208 before the last 23 hour State Operations Center reminder.

Abduction Date: _____ Time: _____

Last known location: _____

VICTIM DATA: _____ **NIC#:** _____

Name: _____

Age: _____ Sex: _____ Race: _____ DOB: _____ Height: _____ Weight: _____

Eyes: _____ Hair: _____ Clothing: _____

Unique Physical Characteristics: _____

SUSPECT DATA:

Name: _____

Age: _____ Sex: _____ Race: _____ DOB: _____ Height: _____ Weight: _____

Eyes: _____ Hair: _____ Clothing: _____

Unique Physical Characteristics: _____

VEHICLE DATA:

Make: _____ Model: _____ Year: _____ Color: _____

LP-State: _____ Number: _____

Any other descriptors: _____

TEXAS DEPARTMENT OF PUBLIC SAFETY
SILVER ALERT REQUEST FORM

Fax (512) 424-2281 or (512) 451-2291; and Call (512) 424-2277 or 2208

MAXIMUM ACTIVATION - 24 HOURS

Reporting Agency Information

YES NO

<hr/> <input type="checkbox"/>	<input type="checkbox"/>	1. Is the missing person 65 years of age or older?
Date of Request		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	2. Is the senior citizen's domicile in Texas?
Name of Reporting Agency		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	3. Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition.)
Contact number for Reporting Agency		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	4. Is it confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?
Fax number for Reporting Agency		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	5. Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
Name/Title of Investigating Officer		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	6. Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance.)
Cell phone number for Investigating Officer		
<hr/> <input type="checkbox"/>	<input type="checkbox"/>	
Phone number for media inquiries		

❖ **IMPORTANT:** Agencies are responsible for accurately answering the above questions. The Department of Public Safety will verify circumstances of each request to ensure criteria have been met. Do **NOT** send SILVER ALERT request if the answer is **NO** to **ANY** of these questions. If activated, your request is only valid for a period of 24 hours. You will be contacted after 12 hours, 18 hours, and 23 hours in which you may decide to request an extension. Any extension must be requested prior to or during the 23 hour reminder from the State Operations Center. Contact (512) 424-2277 or 2208 for all extension requests.

Date of last contact: _____ Time: _____

Last known location: _____

SENIOR CITIZEN DATA NIC #: _____

Name: _____ Diagnosed Mental Condition: _____

Age: _____ Sex: _____ Race: _____ DOB: _____ Height: _____ Weight: _____

Eyes: _____ Hair: _____ Clothing: _____

Unique Physical Characteristics: _____

VEHICLE DATA

Make: _____ Model: _____ Year: _____ Color: _____

LP-State: _____ Number: _____

Any other descriptors: _____



Texas Silver Alert Network Activation Instructions

State Silver Alert Criteria

All five (5) criteria must be met in order to activate the Network.

- Is the missing person 65 years of age or older?
- Is the senior citizen's domicile in Texas?
- Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition).
- Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
- Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance).

How to Request Activation of the Network

- Requests for activation of the Network must come from a law enforcement agency.
- A requesting agency is required to take the following actions:
 - Fax the Silver Alert Request Form to the State Operations Center, Governor's Division of Emergency Management (GDEM). This form may be found at www.txdps.state.tx.us. Fax numbers are (512) 424-2281 or (512) 451-2291.
 - Email a photograph of the missing senior citizen if available to the GDEM at soc@txdps.state.tx.us.
 - Contact the GDEM at (512) 424-2208 or (512) 424-2277 to ensure fax and email were received.
 - Ensure that a knowledgeable law enforcement officer will be available to discuss the request with a representative of the Texas Missing Person's Clearinghouse at the Texas Department of Public Safety (DPS).
 - Contact the GDEM at the phone number listed above to inform when the missing senior citizen is located, or if an extension of the 24-hour activation period is needed.

Activation

- Once DPS has confirmed that a request for activation of the Network meets the criteria noted above, GDEM immediately notifies the following for dissemination of information within the advisory area:
 - Local, state and federal law enforcement agencies;
 - Primary media outlets;
 - Texas Department of Transportation;
 - Texas Lottery Commission;
 - Independent Bankers Association of Texas; and
 - GDEM remains in contact with the requesting agency if extensions beyond the initial 24-hour activation are required.

WHAT CAN YOU DO?

Public awareness is key towards ensuring expedient access to the Silver Alert Program. Together, we can all help towards saving the lives of others.

- It is recommended that all Texas senior citizens, 65 years and older with an impaired mental condition, have acceptable documentation of that condition.
- Accepted documentation by the DPS, is defined as a signed and dated statement issued on a physician's letterhead, diagnosing the mental impairment.
- Discuss obtaining proper documentation with caregivers and legal guardians, before a wandering incident takes place.
- If a risk for wandering has been identified in the patient, refer the family to the Alzheimer's Association for information on wandering triggers and prevention at www.alz.org or (800) 272-3900.
- Encourage families to create a wandering person profile containing the name, date of birth, current photo, physical description, clothing description, documented diagnosis, vehicle information, license plate number, and a list of previous residences and favorite places.

alzheimer's association



Contact Information:

ALZHEIMER'S ASSOCIATION
(800) 272-3900

Capital of Texas Chapter
Greater Dallas Chapter
Houston & Southeast Texas Chapter
North Central Texas Chapter
Star Chapter
<http://www.alz.org/index.asp>
(800) 272-3900

ALZHEIMER'S DISEASE PROGRAM
Texas Department of State Health Services
<http://www.dshs.state.tx.us/alzheimers/default.htm>
(800) 242-3399

GOVERNOR'S DIVISION OF EMERGENCY
MANAGEMENT
Texas Department of Public Safety
<http://www.txdps.state.tx.us/dem/pages/index.htm>
(512) 424-2208

Training Information:

If your organization would like training regarding the

Texas Silver Alert Program, contact the State

AMBER/Silver Alert Coordinator at (512) 424-2208.

PHYSICIAN'S GUIDE



Texas Silver Alert Program

Alzheimer's Association
Texas Department of State Health Services
Governor's Division of Emergency Management

SILVER ALERT NETWORK

In response to legislation enacted September 1, 2007, the Texas Department of Public Safety (DPS) implemented the Texas Silver Alert Network as a means to assist law enforcement in the recovery of missing senior citizens statewide. Silver Alerts typically resemble those alerts issued for abducted children (AMBER Alerts), using similar notification technologies (with the exception of the Emergency Alert System - EAS) to alert the public.

ACTIVATION

All six (6) criteria must be met in order to activate the Network:

- Is the missing person 65 years of age or older?
- Is the senior citizen's domicile in Texas?
- Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition).
- Is it confirmed that an investigation has taken place verifying that the senior citizen's

DOCUMENTATION

Accepted documentation by the DPS is defined as a signed and dated statement issued on a physician's letterhead, diagnosing the mental impairment. In those circumstances where the family or legal guardian has not obtained this type of documentation, the health care physician can release this information on letterhead to law enforcement. According to the Texas Code of Criminal Procedures, Art. 63.007, RELEASE OF MEDICAL RECORDS. (a) At the time a report is made for a missing child or adult, the law enforcement officer taking the report shall give a medical release form to the parent, spouse, adult child, or legal guardian who is making the report. The officer receiving the report shall endorse the form with the notation that a missing child or missing adult report has been made in compliance with this chapter. When the form is properly completed by the parent, spouse, adult child, or legal guardian, and contains the endorsement, the form is sufficient to permit any physician, health care facility, or other licensed health care provider in this state to release to the law enforcement officer presenting the release dental records, blood-type, height, weight, X rays, and information regarding scars, allergies, or any unusual illnesses suffered by the person who is reported missing.

disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?

- Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
- Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance).

Once the DPS has confirmed a request by law enforcement meets the criteria above, the Governor's Division of Emergency Management immediately notifies the following for dissemination of information within the advisory area:

- Local, state and federal law enforcement agencies;
- Participating media outlets;
- Texas Department of Transportation Highway Signs (if applicable per criteria);
- Texas Lottery Commission; and
- Independent Bankers Association of Texas.

Texas Amber Alert System
Statewide Implementation Training
September 2002

Session Attending Lubbock El Paso Dallas
 Houston San Antonio McAllen

Name _____

Agency _____

Mailing Address _____

City _____ Zip _____

Telephone _____

Fax Number _____

E-Mail _____

Amber Alert Data for your Agency

24 Hour Point of Contact (if someone other than you)

Street Address _____

City _____ County _____ Zip _____

24 Hour Telephone Number _____

24 Hour Fax Number _____

24 Hour E-Mail _____

****fax this form to 512-463-1705****

4-F HANDLING MENTALLY ILL PERSONS

Responding to incidents in which a mentally ill person is involved requires tact, patience, and understanding by the officer. Incidents arising from activities of a mentally ill person may be extremely dangerous to officers, bystanders, or the mentally ill person.

A. INCIDENTS INVOLVING MENTALLY ILL PERSONS

Law limits the degree to which an officer can intervene in situations involving a mentally ill person, but the officer must respond to take lawful action in order to:

1. Protect the public from harm which may be caused by the mentally ill person;
2. Protect the mentally ill person from harm which may be caused by himself or others;
3. Provide a stabilizing force to any conflict which may arise from the actions of the mentally ill person; and
4. Aid in acquiring proper medical attention for the mentally ill person.

B. AUTHORITY TO APPREHEND

1. The Texas Mental Health Code gives peace officers the authority to apprehend without a warrant any person the officer has reason to believe and does believe is mentally ill and, because of such mental illness, represents a substantial risk of serious harm to himself or others unless immediately restrained and, the officer believes there is not sufficient time to secure a warrant. The basis for this belief may be any of the following:
 - a. Upon the representation of a credible person;
 - b. The conduct of a person; or
 - c. The circumstances under which a person was found.
2. The APPLICATION TO FACILITY FOR EMERGENCY DETENTION WITHOUT A WARRANT AND ACCEPTANCE FOR PRELIMINARY EXAMINATION shall be completed by the deputy taking the mentally ill person under emergency detention. This application records the deputy's probable cause to believe the mentally ill person is a danger to himself or

4F

others. The representative of the medical facility signs the application accepting the person for preliminary examination for emergency detention.

3. Alcoholism and drug abuse is not considered a mental illness and is not a basis to apprehend a person without a warrant under the Texas Mental Health Code.

C. Violent persons – apprehension without a warrant

1. Under normal circumstances, if a deputy takes into custody a person for the purpose of emergency commitment without a warrant the deputy shall transport the person immediately to a local hospital to be evaluated for emergency detention.
2. After it is determined the medical center will accept the person, the deputy will leave that person for evaluation.
3. The mentally ill person shall be read the MENTALLY ILL PERSONS WARNING, and be provided with a copy of the warning.

D. GUIDELINES TO HANDLING NON-VIOLENT MENTALLY ILL PERSONS

1. A mentally ill person who is not an immediate danger to himself / herself or others should not be arrested unless criminal charges exist.
2. Whenever possible, officers should attempt to locate responsible relatives or friends of the person and have them take control of the person. Officers should advise any relatives or friends taking control of the person to contact MHMR during usual business hours Monday through Friday or call the 24-hour crisis line for assistance after hours or on weekends and holidays.

E. APPREHENSION OF MENTALLY ILL PERSONS WITH A WARRANT

1. Officers apprehending mentally ill persons with a warrant shall follow the instructions as issued by the judge on that warrant.
2. Mental commitment orders for transport of the detainee out of county will be referred to call in transport personnel from a list maintained by the Services Division.
3. Officers who execute emergency commitment warrants shall ensure the proper return of said warrant is made to the issuing magistrate.

F. FORCIBLE ENTRY INTO RESIDENCES

4F

Officers attempting to apprehend persons for emergency commitment, either with or without a warrant, may not make forcible entry into a residence except under the following circumstances:

1. When an extreme emergency exists where immediate entry is necessary to protect the person to be apprehended or another person from serious bodily injury or death;
2. When a written consent to search has been obtained from the owner of the residence; or
3. When a search warrant has been issued by a magistrate for the residence to be entered.

**APPLICATION TO FACILITY FOR
EMERGENCY DETENTION WITHOUT
A WARRANT AND ACCEPTANCE FOR
PRELIMINARY EXAMINATION**

The applicant, _____, makes this application
(name and official title of peace officer)

for the emergency detention of _____, who was
(name of person to be detained)

apprehended on the _____ day of _____, _____, at _____ AM / PM
at _____.
(place of apprehension)

Emergency detention is sought for the following reasons:

- (1) I have reason to believe and do believe that the person evidences mental illness;
- (2) I have reason to believe and do believe that the person evidences a risk of serious harm to himself or others which is described as follows: _____
_____; and
(specify and describe risk of harm which the person presents)
- (3) I have reason to believe and do believe that the risk of harm is imminent unless the person is immediately restrained.
- (4) My above-stated beliefs are based on the following specific recent behavior, overt acts, attempts or threats: _____
_____,
(specify and describe the person's behavior)

which were _____ observed by me and / or _____ reliably reported to me by

_____, who is
(name of the person who reported the behavior)
_____ related

_____ unrelated to the person as follows _____.
(state relationship to the person, if any)

Executed on the _____ day of _____, _____, at _____ AM / PM.

(Signature of Peace Officer)

=====

FOR FACILITY USE ONLY

Accepted for preliminary examination for emergency detention on the _____ day of
_____, _____ at _____ AM / PM.

(Signature of Facility Employee)

Accepted for admission for emergency detention on the _____ day of
_____, _____ at _____ AM / PM.

(Signature of Facility Employee)

MENTALLY ILL PERSON – WARNING TO BE GIVEN

Every person taken into custody for emergency apprehension or detention as a mentally ill person must be advised of the following rights, orally and in writing, in simple nontechnical language, as soon as possible after he/she arrives at the mental health facility.

- A. You have the right to be advised of the location of your detention, the reasons for your detention, and the fact that your detention could result in a longer period of involuntary commitment.
- B. You have the right to contact an attorney of your own choosing and the right to reasonable opportunity to contact that attorney.
- C. You have the right to be transported back to the location of apprehension or to your place of residence in the state or other suitable place if not admitted for emergency detention, unless you are arrested or object to the return.
- D. You have the right to be released if the head of the facility determines that the four criteria for emergency detention no longer apply.
 - 1. No person shall be admitted to any facility for emergency detention unless such admission is supported by a written statement of an examining physician acceptable to the facility that after a preliminary examination is his opinion that:
 - a. The person is mentally ill, the nature of which disorder shall be described;
 - b. The person evidences a substantial risk of harm to himself or others, which risk of harm shall be specified and described;
 - c. The described risk of harm is imminent unless the person is immediately restrained; and
 - d. Emergency detention is the least restrictive means by which necessary restraint may be effected.
- E. You have the right to be advised that communications to a mental health professional may be used in proceedings for further detention.

If the actual information is not given to you orally and in writing so that you understand the above rights, ask the person informing you for more information. A copy of this warning shall be given to all persons apprehended for Emergency Detention. Copies are available in Patrol Room.

CANINE OPERATIONS

The Bowie County Sheriff's Office will use trained and controlled canines in support of law enforcement operations where the dog's superior smell, hearing, and physical capabilities, can efficiently aid in the accomplishment of tactical objectives.

PROCEDURES

- A. Utilization of canines requires adherence to procedures that properly control their use-of-force potential and that channel their specialized capabilities into acceptable enforcement activities. The canine team is composed of an officer-handler and a trained canine.
- B. The requesting officer is responsible for arrest made, or evidence located as the result of canine assistance. When the canine team responds as a back up unit, the handler will be responsible for completing a supplemental report, documenting actions taken by the canine team.

Administration and Management:

- A. The officer-handler is responsible for maintaining and assuring the accuracy and completeness of procurement, health, operational, incident reports, and training records relating to the canine team.
- B. The Canine Coordinator (designated by the Patrol Commander) will review team records at least semi-annually. The Canine Coordinator should be an experienced Canine Handler.
 - 1. As part of the semi-annual review, the need for additional training for both the officer-handler and the canine will be considered and scheduled as needed.
 - 2. Canine teams will pass an annual certification test administered by a nationally recognized police dog association such as National Narcotic Detector Dog Association (NNDDA) or the United States Police Canine Association (USPCA).
 - 3. Canine teams will train a minimum of 16 hours monthly.
 - 4. The Canine Handler's immediate supervisor will schedule patrol duty assignment so that the Canine Handler can conduct this required training without requiring the payment of compensatory time or over time.

- C. The kennel will be maintained to comply with established standards for temperature, food, watering, and sanitation. The Canine Coordinator will randomly inspect conditions where the canine is housed.
- D. Dogs that have been trained as “guard dogs” (dogs that will attack on detection of intrusion or will attack a human being without provocation) are unacceptable for use by the Bowie County Sheriff’s Office. Any dog owned or controlled by the Sheriff’s Office that exhibits any tendency of loss of control or when unprovoked attacks or attempts to bite another person, or creates a public or individual liability, will be removed from law enforcement service and disposed in a manner acceptable to the Bowie County Sheriff.

Requirements for a Canine Officer

The following guidelines are recommended for consideration in the selection of a Canine Handler:

- 1. Maturity
- 2. Patience
- 3. Initiative
- 4. Flexibility
- 5. Dependability
- 6. Enthusiasm
- 7. Emotional stability
- 8. Communication skills
- 9. Good physical health
- 10. Good physical condition
- 11. Should be comfortable with and have an understanding of dogs
- 12. Good interpersonal relationships with the public and other employees
- 13. Home life should be compatible with canines
- 14. Possess a Basic Certificate or above from Peace Officers Standards and Training
- 15. The Selected Canine Handler should:
 - A. Have an enthusiastic and positive attitude and a high energy level;
 - B. Demonstrate proper motivation for the canine both verbally and physically;
 - C. Be self-motivated and able to work with minimum supervision;
 - D. Be willing to devote personal time to maintenance, training, care, and socialization of the canine;
 - E. Be willing to report for duty after normal working hours when a canine team is needed;
 - F. Have family support in having a working police dog in the home to care for, as a companion, and as a member of the family;
 - G. Demonstrate a willingness to assist, support, and cooperate with other departments and personnel;
 - H. Make a commitment to remain the officer-handler of the canine for the remainder of the dogs working life;
 - I. Have a strong desire to deploy the canine at every opportunity available regardless of inconvenience, weather conditions, time of day, difficult circumstances, or personal problems;

- J. Demonstrate discretion in highlighting the canine when credit is given for accomplishments;
- K. Place the canine second to officer survival in life-threatening situations;
- L. Use only the degree of the dog's protection abilities necessary to assure officer and suspect safety during an apprehension;
- M. Be able to put the canine's well being and physical comfort above his own.

Basic Rules for Canine Officers:

- A. Clean the canine living area daily;
- B. Never take the dog into private clubs, bars, or other public places except as a part of required duties;
- C. Never perform demonstrations of the canine's skills and abilities unless approved by a supervisor;
- D. Never discipline the canine by striking, kicking, or other physical abuse;
- E. Provide care for any illness or injury to the dog, and seek veterinarian assistance as needed;
- F. Never permit an unsupervised dog to run at large within the department, at home, or in a public area;
- G. Examine and replace as needed all collars, choke chains, and other equipment daily to assure operational readiness;
- H. Maintain uniforms, and patrol vehicle interiors clean and free of excessive hair and odors;
- I. Do not utilize agitation or aggressive response training except as a part of an authorized training session;
- J. Make frequent rest and exercise stops in an effort to prevent the dog from urinating or defecating inside or around the outside of a property when responding to a call;
- K. Never smoke inside the unit that transports the canine, whether the dog is in or out of the vehicle.

Rules for Department Personnel: Other Bowie County Sheriff's Office personnel will:

- A. Pet or show affection to a canine only in the presence and with the permission of its officer-handler;
- B. Not hug a police work dog or lean closely to the dog's head when petting the dog;
- C. Never tease or act aggressive toward the canine;
- D. Comply with the directions of the officer-handler when the canine team is working a specific problem and it is necessary for the handler to direct officers in a canine related situation;
- E. Never give commands to a canine except in emergency circumstances, or with prior approval of an assigned dog handler.

Operational Procedures:

The decision to deploy a Police Service Canine for use in a suspect apprehension or suspects in hiding shall rest with the on scene supervisor, however the final decision to deploy the dog rest with the handler. However, in a situation which is rapidly evolving and the canine is needed to prevent violence or serious harm to the public, or any officer, the handler may decide to deploy the canine.

A. Depending on the circumstances, any act where a canine team is deployed may be considered use of force. Under no circumstances will a canine handler command the dog to use more force than is reasonable to enforce the law, to protect himself, to protect anyone else, or to protect the dog from loss of life or the threat of serious injury. Refer to the Use Of Force Policy.

B. A Police Canine Handler shall have the ultimate authority to, or not to deploy the dog. The handler will evaluate each situation and determine if the use of a Police Service Dog is technically feasible. Generally the decision to deploy the dog shall remain with the handler; however, a supervisor sufficiently apprised of the situation may decide not to deploy the dog.

Request for Canine Services:

Any certified law enforcement officer may request the assistance of a canine team while the canine team is on duty. The supervisor will approve or disprove the request. When the canine team is off duty and on call, any officer may request their services, and the highest-ranking officer on duty will approve or disapprove the request at the time of the request.

Deployment Procedures

Crowd Control

- A. Canine teams may respond as backup but may not deploy the canine for crowd control at peaceful demonstrations
- B. Canine teams may be used to protect life or property during a riot or other major unlawful assembly after an order to disperse has been made. In these situations , canine shall:
 - 1. Be short leashed at all times to protect individuals from serious injury.
 - 2. Not initiate any offensive action, unless to guard against imminent loss of life, serious bodily injury, or substantial property damage.

Preparations for Deploying a Police Service Canine

Prior to the use of a Police Service Canine to search for or apprehend any individual, the Canine Handler and/or the supervisor on scene shall carefully consider all pertinent information reasonably available at the time. The information shall include, but is not limited to the following:

- A. The individuals age or estimate thereof,
- B. The individuals mental state,
- C. The nature of the suspected offense,
- D. Any potential danger to the public and/or other officers at the scene if the Police Service Canine is released,

- E. The degree of resistance currently, or if the suspect has shown resistance previously,
- F. The potential for escape, or flight if the canine is not utilized.

Procedure for Building Searches, and Tracking Missing Persons by Canine units:

One of the primary uses of a Police Service Canine is for locating suspects in buildings, structures, or dense wooded areas. These searches should be governed by the following:

- A. A perimeter shall be secured by law enforcement officers.
- B. Whenever possible the building owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the buildings layout.
- C. When a canine building search is anticipated, a preliminary search by officers should not be conducted as this will interfere with the canine's ability to discriminate scents.
- D. The on-scene supervisor shall also take the following steps in preparation for the canine search:
 - 1. Evacuate all workers or others from the facility.
 - 2. Request that all air conditioning, heating, and other air-blowing systems be shut off so as not to interfere with the canine's scent.
 - 3. Upon entrance to the building, all exits should be secured, and communications limited to that of a tactical nature
- E. A canine may be unleashed during a building search unless there is imminent risk of injury to innocent persons within the building.
- F. Generally, the canine should not be released until a backup officer is available to work with the canine team.
- G. Except in exigent circumstances or where there is an imminent danger of death or serious bodily injury, the canine should be kept in visual contact by the canine handler.
- H. Before commencing the search, the handler or other appropriate personnel shall make an announcement, unless such announcement would place an officer or citizen in danger. The announcement shall be said in a loud and distinct voice and state that police officers are present and the police canine will be released if the suspect does not surrender.
- I. A reasonable amount of time shall be allowed for the suspect to respond. This warning shall be repeated on each level of a multi-level structure.
- J. Where there is a reasonable belief that the suspect speaks a language other than English, an officer or other individual fluent in that language should be summoned to the scene if available and if the exigency of the situation permits.
- K. A police canine will not be utilized to search a residence for a suspect unless the following conditions are met:
 - 1. The owner/occupant who currently resides there can say without a doubt that no one has permission to be inside at the time of the search and;
 - 2. Police personnel have reason to believe that a criminal suspect is inside at the time of the search, or

3. The search is conducted under exigent circumstances, and the officers on scene have a reasonable belief no person other than the suspect is in the residence.

Officers at the scene where a canine team have been requested will ensure that no one touches, picks up, or moves any suspect material, which may be used by the canine team as a scent trace.

- A. When the canine team arrives, the officer in charge will brief the team on the situation, paying particular attention to the location of exits, and potential hiding places.
- B. The Canine Handler will be advised of any known hazards that would endanger the canine such as broken glass, or exposed drugs.
- C. The Canine Handler will decide whether or not the canine will be deployed.
- D. Officers outside the building will not enter the scene of operation while the canine team is working unless specifically requested by the handler.
- E. Officers will secure all avenues of escape, and eliminate as much noise as possible in order to reduce distractions to the dog.
- F. The handler will request assistance from other officers if needed after the suspect is apprehended.
- G. Apprehended suspects will be turned over to other officers on scene.

Tracking

When a Police Service Canine is available for tracking, it may be used with supervisory approval to track missing persons, criminal suspects, or to locate evidence that the supervisor has reason to believe has been abandoned or hidden in a specific open area. Such searches are subject to the following conditions and limitations:

- A. When officers are pursuing suspects and contact is lost, the officer, prior to summoning a canine team shall:
 1. Stop and pinpoint the location where the suspect was last seen;
 2. Shut off engines of vehicles in the area if possible; and
 3. Avoid vehicle or foot movement in the area where the suspect or subject was last seen.
- B. On-scene supervisory personnel shall:
 1. Secure the perimeter of the area to be searched;
 2. Secure the integrity of the area to be searched by keeping all personnel out of the area; and
 3. Protect all items of clothing that will be used for scent from being handled.
- C. Police Service Canine used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject without compromising the canines tracking abilities.

Narcotics or Controlled Substance Searches by Canine Units:

- A. Canine teams trained in narcotics and controlled substance searches will be utilized to the greatest extent possible when conducting searches of vehicles, and buildings.
- B. Efforts will be made to leave the scene exactly as the perpetrators left it.

- C. Other officers should not attempt to do a physical or visual search prior to the arrival of the canine team.
- D. Controlled substances that are in plain view or substances that may be harmful to the canine will be shown to the canine officer upon arrival.
- E. Upon arrival the canine officer will be briefed on the situation, identifying the location of exits and concealed areas.
- F. The Handler will make the decision on the use of the canine.
- G. Individuals will not be searched by a canine.

Apprehension of fleeing or Resisting Suspects

A handler may use a canine to apprehend suspects when it is reasonable to believe that:

- A. The suspect has committed a felony, or a Class A Misdemeanor that involves a violent act and/or a weapon; and
- B. The suspect is actively resisting or attempting to evade arrest by flight; or
- C. There is a reasonable believe that the individual poses an immediate threat of violence or serious harm to the public, any officer, the handler, or the canine.
- D. When possible, warnings will be given to the suspect that the canine is or will be released..

Deployment Reports and Notifications

- A. Each time the Police Canine team is utilized for any situation, the handler will complete a canine usage report detailing the teams use and involvement in the incident. If the incident generated a CCN, the handler will turn in their supplemental report with the primary officer's original paperwork and forward a copy to the supervisor for the canine file.
- B. Whenever a canine has bitten or scratched an individual or has alleged to have done so, whether or not in the line of duty; the handler shall:
 - 1. Notify the supervisor/unit coordinator
 - 2. If no arrest is made, an offer will be made to the individual to provide medical care and treatment by a qualified medical professional.
 - 3. If the person who is bitten is under arrest, he shall be transported to a medical facility for treatment.
 - 4. The officer shall take color photographs of the affected area after the wounds have been cleaned, but prior to actual medical treatment, as well as after medical treatment.
 - 5. Prepare and submit Use of Force report and other required reports, including:
 - a. listing of all officers at the scene;
 - b. listing of all non-officers that observed the incident;
 - c. Commands given to the canine and the dog's response to those commands
 - d. A copy of the report will be submitted to the shift supervisor for approval, who will then forward the report to the Patrol Division Commander, Chief Deputy, and Sheriff
- C. Documentation of training, certification and deployments should be kept for the service life of the dog, plus three years, in case of pending cases. A

computer aided system of documentation will allow rapid calculation, rapid evaluation, and comparisons for management personnel, minimizing agency liability.

Injury to the Canine

Should the canine become injured or ill, the officer-handler will take the canine to a departmental approved veterinarian for examination and a determination of fitness for future duty. The officer-handler is responsible for the health and safety of the canine, whether on or off duty.

Injury to Officer-Handler

In the event that the officer-handler is seriously injured while working with his canine partner, other officers will:

- A. Never approach the canine that is protecting the officer-handler or attempt to assist the officer unless it is apparent that the failure to respond to the officer would be detrimental to the health of the officer-handler;
- B. Request medical assistance for the injured officer immediately;
- C. Make contact with another officer-handler or animal control officer to remove the dog or control its actions;
- D. Contact the department veterinarian and attempt to tranquilize the dog, if all other efforts to respond to the emergency needs of the officer fail;
- E. If other efforts are unsuccessful, and the officer is in imminent danger of losing his life or compounding an existing injury, the canine may be neutralized. If shot, one correctly placed round will be used in order to reduce the possibility of the canine being made to suffer for doing what he is trained to do, protect his handler. Although such a procedure is seemingly heartless, the officer must remember that a canine can be replaced but not the canine handler.

4-H TRANSPORTING ARRESTED PERSONS OR MENTAL PATIENTS

It is the policy of the Bowie County Sheriff's Office to take all reasonable precautions necessary to protect the lives, and promote the safety of the deputies, the public, and the person in custody while transporting detainees.

Prior to Transport:

1. All detainees will be thoroughly searched for any weapons or contraband prior to transport.
2. If the deputy and the detainee are of the opposite sex, the detainee should be frisked for weapons before transport and thoroughly searched at the correctional facility by an officer of the same sex as the detainee.
3. Female mental patients must be accompanied by a female officer unless the patient is accompanied by her father, husband, or adult brother or son.
4. A mental patient cannot be transported with a criminal defendant.
5. Background checks will be conducted on all mental commitments for history of violence, and the information documented on the "Transportation of Mental Patient" form. Restraints will be used on all mental patients who have a prior history of violence, or who are making threats to commit a violent act.
6. Transporting deputies will provide the dispatcher with the following information when possible:
 - a. Identity of the arrested individual, along with a DOB, should be given so a warrant check can be completed;
 - b. Arrest location, and / or the destination of the transport; and
 - c. Mileage readings before and after transport when transporting a member of the opposite sex.
7. Assist the detainee into and out of the vehicle for transport.
8. A transport company can be used to transport detained persons. The Services Section supervisor shall determine when a transport company will be used to transport detainees.

Transport Guidelines:

A. Vehicles

Detainees will be transported in the following manner:

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1. Two officers will be used to transport all mental patients.
2. A background check will be performed on all inmates who are to be transported by the Services Section. All inmates with a history of violent behavior or attempted escape will be transported by two officers.
3. Leg restraints issued by Bowie County Sheriff Office will be used on arrested persons being transported in a vehicle which is not equipped with a security screen.
4. Belly chains will be used on arrested detainees transported out of Bowie County. It will be left up to the transporting deputy's discretion to use or not use leg restraints for out of county transports.
5. All detainees will be secured in the vehicle by proper use of a seatbelt except in situations where circumstances exist that would otherwise present more danger to the deputy or the person being transported.
6. Any wheelchairs, crutches, and prosthetic devices should be transported with, but not in the possession of, the detainee.
7. Transport of detainees for any reason after incarceration, will be accomplished by sworn deputies or trained correction officers.
8. Detainees will not be left unattended during transport.
9. In the event of a detainee's escape all information will be immediately reported to the communications center.

B. Walking

Detainees transported on foot from the Bowie County Correctional Center Annex to the Bi-State Justice Center Jail and detainees transported to Court Rooms will be secured by leg irons and belly chains. Jury trials will be the exception for leg irons and belly chains in the Courtroom and at the discretion of the Judge.

Vehicle Inspection:

All vehicles regularly used for detainee transport will be inspected at the beginning of each shift as follows:

1. The interior will be thoroughly searched to ensure that no weapons or contraband have been left or hidden within the vehicle. Special emphasis will be placed on inspecting under the rear seat and floorboard area.
2. Should any contraband or property of any kind be found in the vehicle, rules of evidence should be followed and documented.
3. After each detainee transport, the vehicle will be searched again after the detainee has been delivered to the detention facility or other destination.
4. The results of the vehicle inspection should be documented on the deputies daily activity sheet.

4H

Handcuffing:

1. Deputies will handcuff (double locked) all detainees with their hands behind their back and palms facing outward.
2. Deputies may only handcuff detainees with hands in front, or utilize other appropriate restraining devices if the detainee:
 - a. Is in an obvious state of pregnancy;
 - b. Has a physical handicap; or
 - c. Has injuries that could be aggravated by standard handcuffing procedures.
 - d. If belly chains or belt is used in conjunction with the handcuffs
3. Detainees will not be handcuffed to any part of the vehicle, or any other stationary object.
4. Additional restraint devices, such as a spit hood, black boxes, under clothing leg restrains, etc may be used to secure a detainee who violently resists arrest or transport, or during the detainee's court appearance as approved by the presiding judge.

Revised May 4, 2011

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TOWING AND INVENTORY OF VEHICLES

It is the policy of the Bowie County Sheriff's Office that all vehicles impounded will be inventoried at the time of impound, unless such inventory would compromise any collection of evidence from the vehicle.

A. ABANDONED VEHICLES

1. Determine if the vehicle is a traffic hazard;
2. Attempt to contact the owner;
3. Provide protection for the abandoned vehicle;
4. Restore the orderly flow of traffic; and
5. If necessary, have the vehicle removed
6. If the vehicle is disabled, and a traffic hazard, and the owner cannot be contacted or cannot respond in an appropriate amount of time, the vehicle should be removed. If removed the officer will complete a Vehicle Report including the Vehicle Inventory section and turn it in to his/her supervisor.

B. STOLEN VEHICLES

1. Suspected Stolen Vehicles shall be confirmed as stolen through Communications. If the vehicle is reported stolen by another agency, that agency shall direct the disposition of the vehicle.
2. If the vehicle is reported stolen to our agency, the recovering deputy will process the vehicle for any evidence. If at all possible the owner will be notified and all attempts to contact the owner shall be documented.
3. If the recovered stolen vehicle is impounded, it will be inventoried, after being processed for evidence.

C. VEHICLES TOWED AS THE RESULT OF AN ARREST

1. Vehicles will be inventoried with all property listed on the Inventory section of the Vehicle Report. A prompt, thorough inventory of the interior (including the trunk and glove box) and any containers therein, whether locked or unlocked, shall be conducted.

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2. The Vehicle Report should include, but not limited to, the following:
 - a. Description of the vehicle (year, make, model, color, VIN, LPN;
 - b. Listing of all accessories, tools, personal property, valuables, and unattached parts left in the vehicle;
 - c. Notation describing the condition of the body, upholstery, etc (describe damage);
 - d. Listing of all noted missing items, such as keys, spare tire, etc.
3. Contraband or Evidence found in the vehicle should be immediately seized and preserved. If the doors, glove compartment, trunk or any container therein are locked or otherwise sealed, great care should be taken to minimize damage to the property while gaining access to conduct the inventory.
4. Vehicles being towed by officers as a result of an arrest or other law enforcement action will be towed, transported and/or impounded by wrecker services duly authorized by the Sheriff.
5. The Vehicle Report, appropriate Offense Reports, Arrest Reports, and Property Reports will be prepared.
6. Property and / or evidence removed from the vehicle by officers will be recorded on a property report, and secured as required in the Property Section.

Revised June 7, 2016

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RESPONSE TO AN ACTIVE SHOOTER SITUATION

It is the policy of the Bowie County Sheriff's Office to protect life by any legal means possible. Deputies responding to an active shooter incident shall accomplish this goal by immediately using any legal means at their disposal to make contact with the active shooter and stop him. This may include arrest, containment, or the use of deadly force.

The philosophy driving this policy recognizes that the active shooter must be stopped before he can destroy innocent lives. This shall be the duty and responsibility of the initial responding deputies, and they shall use all legal means to accomplish it. The prioritization of activities, in order of importance is:

1. Stop the active shooter
2. Rescue the victims
3. Provide medical assistance
4. Preserve the crime scene

While it is important to provide medical treatment to the wounded, it is our duty as law enforcement officers to first protect all innocent life by stopping the actions of the active shooter.

A. Definition

Active Shooter – one or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their overriding objective appears to be that of mass murder, rather than other criminal conduct such as robbery, hostage taking, etc.

For purposes of this policy, the term “active shooter” will also include anyone who uses any other deadly weapon (knife, club, bow and arrows, explosives, etc) to systematically or randomly inflict death or great bodily harm to people.

B. Legalities

The State of Texas provides that an officer may use deadly force:

1. To protect his own life or that of another

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2. To prevent the escape of one who has committed or attempted to commit a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

The law regarding the use of deadly force remains the same in an active shooter incident. However, an active shooter is engaged in a continuing forcible felony, and the time frame for the use of deadly force against him continues until the suspect discards his weapon and surrenders or is incapacitated.

C. Suppressive Fire

Suppressive fire towards an active shooter may be necessary, especially if he has gained an advantage by height, or barricade. Suppressive fire towards the position of an active shooter is permissible, so long as it appears that no innocent victims are in the line of fire.

D. Equipment

All members of the SWAT team shall carry their assigned weapons and gear in their vehicle while on duty. Other deputies may carry approved rifles and shotguns after meeting the requirements of the Sheriff's Office. (See firearms policy).

E. Procedure

All enforcement personnel who are not on an emergency call shall respond to the scene of an active shooter incident.

Contact Team – The first responding deputies, up to four, shall form a contact team and go in immediate pursuit of the active shooter. The focus is to make contact as soon as possible, and stop the active shooter by arrest, containment, or use of deadly force. The team will be subject to 360-degree vulnerability. The team will not take the time to thoroughly clear an area, but will proceed on to locate the shooter. They will continue on past victims and harmless distractions. The location of victims may be relayed to the rescue team.

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Rescue Team – The second set of four officers arriving on the scene will form a rescue team, which will locate and remove injured victims, and direct uninjured victims out of the building. Rescue team members should remember that uninjured victims may nonetheless be in shock, or paralyzed with fear, and not respond to regular verbal commands. Rescue team members are to remain constantly vigilant as the rapidly changing dynamics of the incident may put them in contact with the suspect and they will be subject to 360-degree vulnerability.

If a SWAT team member is on either the contact team or the rescue team, he will assume the role of team leader.

If either team encounters a suspected explosive device, they must use their own judgment reference to posting an officer near it, or reporting, marking and bypassing it.

Officers should make entry at a location other than the main entrance, if possible, as this is the place where the suspect might logically set up barricades, explosives, or an ambush.

All personnel are to restrict their use of the radio for emergency traffic only.

Incident Command

The first command officer on scene, who is not part of a contact or rescue team, will be the incident commander, and will establish a command post. He shall:

1. Choose a safe staging area for arriving personnel
2. Order the dispatcher to initiate the notification matrix
3. Form additional contact and rescue teams, as necessary
4. Appoint a media relations officer and group the media in a safe location. This is very important as live news coverage may compromise the safety of deputies, victims, and by-standers
5. Arrange a safe staging area for medical units and treatment of the injured
6. Post additional responding officers to guard the crime scenes
7. Call for detectives, crime lab, and any other resources at his disposal to bring the incident to a conclusion.

If the suspect is arrested or incapacitated, regular procedure will be followed regarding the investigation and evidence preservation; the Criminal Investigation Division Supervisor will be in charge of the investigation.

If the contact team contains the suspect, the SWAT team will relieve them, and negotiators will be used to try and affect surrender.

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F. Training

The training officer and firearm instructors shall research and implement suitable tactical training for:

1. Room entry techniques with handgun and rifle
2. Building clearing techniques with handgun and rifle
3. Victim rescue techniques
4. Recognition of explosive and improvised devices

G. Counseling

All enforcement personnel involved in a deadly force encounter must attend at least one counseling session with a qualified counseling professional of the Sheriff's Office choosing. Personnel may also be directed to counseling if mass carnage is encountered, even if deadly force is not used. No report on the session will be made back to the Sheriff's Office, except to verify attendance.

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COURTHOUSE SECURITY

Security of the Bowie County Courthouse is the responsibility of the Sheriff. The safety of the citizens utilizing the courthouse and employees working in the courthouse are of utmost importance. A sergeant, two deputies, metal detectors, cameras, and an x-ray machine will be used to accomplish the goal of securing the courthouse.

A. Personnel Assigned

1. The deputies assigned to courthouse security will be supervised by a sergeant.
2. The sergeant is the supervising deputy and will direct the actions taken in the daily activities.
3. The sergeant may contact the on duty patrol lieutenant for assistance as need, but reports directly to the patrol captain

B. Security Objectives

1. Provide for the safety of citizens and employees inside the courthouse.
2. Provide assistance to citizens while maintaining a professional and courteous attitude.
3. Utilize metal detectors and x-ray equipment to prevent persons from entering the main entrance of the courthouse with unauthorized weapons.
4. Monitor audio and video cameras for indications of problems developing in other areas of the courthouse.
5. Respond to distress alarms and other needs for law enforcement services inside the courthouse.
6. In case of an emergency or if in need of assistance use the issued radio to call for aid from other deputies.

C. Operational Guidelines

1. The sergeant is responsible for scheduling duty hours, authorizing days off and providing for replacement personnel when necessary.

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2. Courthouse security personnel will be assigned to be on duty during the Bowie County Courthouse's normal hours of operation and other times as directed by the Sheriff.
3. A member of courthouse security will remain on duty until all courts have concluded business for the day and all citizens have exited the building.
4. Everyone entering the Bowie County Courthouse via the front entrance will pass through the metal detector, and all packages, cases, and purses will be x-rayed.
5. Peace officers entering through the main entrance on official business will be identified if not known by security personnel. These peace officers will maintain possession of their official equipment.
6. All citizens will be treated with respect.
7. Clear speech will be used over the radio when calling for assistance, describing the known problem and directing the response of deputies answering the call for aid.

D. Training and Equipment

1. The sergeant and deputies will be assigned to attend required training including law updates, firearms training, and other training as it becomes available.
2. The assigned sergeant and deputies are authorized to carry equipment and weapons as authorized by Bowie County Sheriff's Office policies and procedures.

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Animal Control

The Texas Health and Safety Code defines Animal Control Authority as a municipal or county animal control office with authority over the area in which the dog is kept, or the county sheriff in the area that does not have an Animal Control Office. Every deputy has access to the Texas Health and Safety Code and shall be familiar with Chapter 822 Regulation of Animals.

The Patrol Division is normally the first responder and must address the call for service as required by Texas law. The following types of calls generally require the provided response.

- A. Animal Bite calls require the following:
 1. Offense Report
 2. Department of Health Reporting Form
 3. Quarantine Animal – Animals shall be quarantined with a veterinarian unless it has received its rabies vaccination and the owner has an enclosure which is approved by the deputy.
 4. The animal must be viewed on the first and last day of quarantine by the deputy or veterinarian.
 5. The deputy completes a follow-up report and notifies the victim of the results of the investigation.

6. Stray animals which have bitten or scratched a person should be captured if possible, and taken to the Texarkana Animal Shelter for quarantine.
7. The Services Section Lieutenant or his designee has the catch and transport equipment and will be available to assist deputies as needed.

B. Quarantine Method

When a dog or cat that has bitten a human has been identified, the owner or custodian will be required to place the animal in quarantine. The 10 day observation period begins on the date of the bite. The animal must be placed in a facility approved by the Texas Department of Health specified by the local health authority (deputy) (normally a local veterinarian). The owner may request permission for home quarantine if the following conditions are met:

1. Secure facilities must be available at the home of the animal owner, and must be approved by the local health authority (the deputy).
2. The animal is currently vaccinated for rabies.
3. The animal must be observed by a veterinarian or local health authority (deputy) on the first and 10th day. If the animal becomes ill during the observation period the local health authority (deputy) must be notified.
4. The animal was not a stray at the time of the bite.
5. A dog or cat which has bitten a human and is unclaimed (a stray) may be humanely killed in such

a manner that the brain is not mutilated. The brain shall be submitted to a Texas Department of Health certified laboratory for rabies diagnosis.

6. If the biting animal is a high risk animal, it shall be humanely killed and the brain submitted for rabies testing. High risk animals are those which have a high probability of transmitting rabies; they include: skunks, bats, foxes, coyotes, and raccoons.
7. If the biting animal is a low risk animal, neither the quarantine nor rabies test will be required unless the deputy has cause to believe the biting animal is rabid, in which case the animal should be humanely killed and tested for rabies. Low risk animals are those that have a low probability of transmitting rabies; they include all animals of the orders Marsupialia (pouched animals including the American Opossum), Insectivora (shrews, moles, hedgehogs), Rodentia (rats, mice, squirrels, hamsters, gofers, beavers.) Lagomorpha (rabbits) and Xenarthra (armadillos).
8. Any other biting animal not listed should be humanely killed and the brain tested for rabies.
9. Any animal required to be quarantined under this section which cannot be maintained in a secure quarantine shall be humanely killed and the brain tested for rabies.
10. Criminal Penalty: A person commits an offense if the person fails or refuses to quarantine or present for quarantine or testing an animal that is required to be placed in quarantine or presented for testing under Section 826.042 Texas Health and Safety

Code. Refusal to Quarantine is a Class C Misdemeanor.

C. REGULATIONS OF DOGS & COYOTES DANGEROUS TO ANIMALS

1. In all counties the owner or keeper of a dog or coyote that the person knows will chase or kill livestock, domestic animals, or fowl may not allow the dog or coyote to run at large. 822.012
2. The owner of a dog or coyote who permits the animal to run at large in violation of Subchapter B commits an offense punishable by fine not to exceed \$100.00
3. Dogs Dangerous to Other Animals require the following response:
 - a. Offense Report
 - b. Witness Statements
 - c. Photographs of injured or killed animal
 - e. Photograph of the dog that is dangerous to other animals
 - f. Description and name of dog dangerous to other animals
 - g. Obtain name and address of owner of dog dangerous to other animals
 - h. Check to confirm if dog owner has been previously warned that the dog is dangerous to other animals
 - i. If the owner has received a previous warning, cite the owner for allowing a dog dangerous to other animals to run at large.

j. If the owner has not been previously warned, advised him of attack and provide a copy of the Dog Owner Warning Notification form.

D. Dogs Dangerous to Humans

Definitions

Dangerous Dog means:

1. Makes an unprovoked attack on a person that causes bodily injury, and occurs in a place other than an enclosure in which the dog is being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
2. Commits unprovoked acts in a place other than an enclosure in which the dog is being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Serious Bodily Injury Section 1.07 Penal Code – means bodily injury that creates a substantial risk of death or that cause, serious permanent disfigurement, or protracted loss or impairment of a function of any bodily member or organ.

Serious Bodily Injury Section 822.001 – means an injury characterized by severe bite wounds or ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without

regard to whether the person actually sought medical treatment.

Dogs Dangerous to Humans require the following response:

1. Obtain medical care as needed
2. Offense Report
3. Witness Statements
4. Photograph of injuries
5. Photograph and description of dangerous dog
6. Identify the owner and his address of the dangerous dog
7. Notify the owner of the dangerous dog of the attack, providing him a copy of the Dogs Dangerous to Humans owners Notification, file completed notification with offense report.
8. Quarantine dog as required for animal bite

Dangerous Dogs require a fast response from the sheriff's office in order to protect the public from further attacks. Deputies shall complete the required reports and turn them in to their supervisor within 24 hours of the attack.

The Dogs Dangerous to Humans Owner's Notification will be filed with CRC and can be searched and verified through dispatch

Services Section personnel will be assigned to follow up on the reported dangerous dog report and file a dangerous dog affidavit with the appropriate Justice of the Peace if the

attack meets the requirements of the Health and Safety Code.

A citizen may report a dog that has not bitten anyone, but the citizen believes to be a dangerous dog to this agency.

The deputy should:

1. Complete a dangerous dog offense report
2. Obtain witness statements
3. Identify the dog and dog owner

A Services Section person will follow up on the complaint and may supply the reporting person with a dangerous dog affidavit that the complainant can file with a Justice of the Peace.

The Services Section Lieutenant or his designee is responsible for registering dangerous dogs, providing the Dangerous Dog tag, collecting the applicable fee, and inspecting the required enclosure for housing the dangerous dog.

The approved enclosure for a dog that has been declared a Dangerous Dog to Humans shall be:

1. Fully enclosed, constructed and maintained in such a way so that the dog is not able dig or otherwise escape under, over or through the enclosure.
2. It shall be built in a way so that a person cannot access it without the assistance of an occupier of the property over the age of 18.
3. Be designed to prevent children from having access to the enclosure

4. Shall not be located on the property in such a way so that people are required to pass through the enclosure to gain access to other parts of the property
5. Have walls, a fixed covering, and a gate constructed of:
 - a. Brick, timber, iron, or similar solid material, or
 - b. Mesh that is chain mesh manufactured from at least 3.15 mm wire to form a maximum mesh spacing of 50mm, or weld mesh manufactured from at least 4mm wire with a maximum mesh spacing of 50mm.
 - c. Or a combination of the above
 - d. A floor that is constructed of sealed concrete and graded to fall to a drain for the removal of waste
 - e. Provide a weather proof sleeping area
 - f. Be a minimum of 10 square feet for each dog kept in the enclosure.
 - g. The gate must contain a self-closing, and self-latching mechanism that enables the enclosure to be securely locked when the dog is enclosed, and be kept locked when the dog is in the enclosure

E. Cruelty to Animals

Deputies responding to cases of reported animal abuse will:

1. Complete Offense Report
2. Photograph animals and conditions if that can be done without trespassing

3. Describe injuries or mistreatment of animals
4. Determine owner of injured or mistreated animal
5. Obtain witness statements

F. Estrayed Livestock

The County Sheriff's Office is responsible for strayed livestock, regardless if the stray is in the rural area of the county or a municipality.

The primary responsibility of a deputy responding to reported estrayed livestock on a public roadway, or public property, is to secure the animal. The deputy should:

1. Locate an owner if possible and have them secure the animal
2. Obtain permission from a property owner to secure the animal on their private property if available
3. Contact Services Section Lieutenant or the animal control deputy for assistance in securing the animal.
4. Complete an offense report, describing the animal, and its secured location

Deputies responding to strays located on private property shall attempt to locate an owner, and complete an offense report.

Effective June 12, 2012

5-A CRIMINAL INVESTIGATION DIVISION

The Criminal Investigation Division is responsible for the follow-up investigation of crimes, collection of evidence, investigation of vice, preparing cases for prosecution and other duties as assigned.

A. The function of the Criminal Investigation Division (CID) will be:

1. to actively conduct follow-up investigations on all reported criminal activity;
2. to identify person(s) suspected of criminal activity; and
3. to present criminal cases to the Bowie County District Attorney's Office for prosecution.

B. The primary objectives of the Criminal Investigation Division are:

1. To identify and apprehend offenders who have avoided detection and/or arrest at the scene of an offense.
2. To properly document and assimilate investigative data so that such is instrumental in the prosecution and conviction of offenders.
3. To recover stolen property and return it to the rightful owner.
4. To seize and assist in ensuring the proper disposal of contraband and illicit substances.
5. To identify, cause the arrest of, and seek maximum confinement of repeat offenders.
6. To obtain, collect, preserve and maintain all items of evidence involved in a criminal investigation.

C. The CID Captain shall provide for on-call personnel who are required to respond when needed.

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D. CASE MANAGEMENT AND CONTROL

The Criminal Investigations Division Supervisor will receive, review and assign all cases for investigation on a daily basis, excluding weekends and/or holidays.

1. The case investigator will contact the victim of each assigned case in a timely manner. When possible the same day the case is assigned.
2. Investigators shall submit a follow-up supplement to initially include verification of contact with the complainant/victim and all follow-up activity conducted on each active case every (10) ten days.
3. Investigators will attempt to interview and take formal statements from all witnesses.
4. Investigator will attempt to locate stolen property and return it to its rightful owner.
5. Investigators shall process crime scenes to gain evidence in the crime.

E. Direct Filing

1. Upon the arrest of a defendant on a felony charge the deputy will complete the arrest report, probable cause affidavit, complaint, and Magistrate's Warning Form. The deputy will also obtain a copy of the defendant's criminal history. The Magistrate's Warning form, a copy of the arrest report, probable cause affidavit, complaint, and criminal history will be placed in the box currently used for these documents located in the Sheriff's Office at the Bi State Justice Building. If the arrest is based on an existing warrant, the deputy will have to make sure they also obtain a copy of the complaint and probable cause affidavit when retrieving the warrant from Records.
2. This procedure will only apply to arrest on new felony charges, not probation violations, parole violations, or bond surrenders.
3. Arrests for Possession of a Controlled Substance (cocaine, methamphetamines, heroin, and ecstasy) will require a positive presumptive test for the drug. The fact the test was done and the results of the presumptive test must be included in the probable cause affidavit. The DA's Office recommends the presumptive test be conducted on video when possible, but that is not necessary. The DA's Office advised they have ordered presumptive test kits for each officer.
4. All photographs taken relating to a felony charge shall be uploaded to the server.
5. The DA's Office will review all felony arrest within 24 hours to determine "Charging Decisions" (if charges are accepted, reduced, or dismissed). If

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charges are accepted the DA's Office will notify the deputy or investigator within ten days of other information needed.

F. Grand Jury Referrals are files submitted to the District Attorney's Office for presentation to the Grand Jury. A Grand Jury Referral will be neat, complete, accurate and contain the following if available:

1. Offense Report
2. Officer's Miranda Warning of the suspect
3. Supplemental Reports
4. Statements
5. Property Reports
6. Miscellaneous Reports
7. Brady Form

Revised August 28, 2018

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JUVENILE SECTION

It is the intent of the Bowie County Sheriff's Office to provide a system to effectively deal with juvenile offenders, and victims. A trained Juvenile Criminal Investigator is assigned to the Criminal Investigation Division.

A. RESPONSIBILITIES

1. The Criminal Investigation Division Captain will evaluate the Juvenile operations function annually and make modifications necessary to provide updated and effective service to the citizens of Bowie County.
2. The Juvenile Investigator will be responsible for the collection, dissemination and retention of files and records relating to juvenile offenders including:
 - a. separation of adult and juvenile records;
 - b. compliance with court orders relating to juvenile offenders;
 - c. disposition of records of juveniles reaching adult age; and
 - d. other access to records on a need-to-know basis.
3. The Juvenile Investigator will maintain a close working relationship with other agencies and individuals who work within the Juvenile Justice System. This will include, but not limited to:
 - a. Bowie County Juvenile Probation department;
 - b. Bowie County Juvenile Detention Center;
 - c. Bowie County District Attorneys Office;
 - d. Child Protective and Regulative Services;

B. JUVENILE INVESTIGATIVE PROCEDURES

1. Juvenile investigations will be conducted in accordance with the Texas Family Code, administrative orders of the Juvenile Court, applicable Court rulings and accepted criminal investigation procedures
2. If the child is transported to the Sheriff's Office from the Detention Center by Sheriff's Office Personnel, he/she will only be detained in the area designated for juvenile offenders. **UNDER NO CIRCUMSTANCES WILL A CHILD WHO IS IN CUSTODY BE LEFT UNSUPERVISED IN THE**

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JUVENILE DETAINEE AREA, OR IN ANY LOCKED ROOM.

3. All interviews of juveniles taken into custody must be conducted at the Bowie County Juvenile Detention Center.

C. RELEASE OF A CHILD FROM CUSTODY

1. An officer taking a child into custody shall, without unnecessary delay, do one of the following:
 - a. release the child to his/her parent, guardian, custodian or other responsible adult;
 - b. take the child to the office or official designated by the Juvenile Court;
 - c. take the child to the Bowie County Juvenile Detention Center; or
 - d. provide the child with medical treatment, if needed.
2. A juvenile charged with a Class C misdemeanor only, who is not taken into custody, will be issued a citation and, if appropriate, released to a parent, guardian, custodian or responsible adult or released at the scene.

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INFORMANTS AND COOPERATING INDIVIDUALS

The use of informants and cooperating individuals is important to the successful completion of many cases. The Texas Code of Criminal Procedures specifies when informant information may be used in the issuance of a search warrant and when information from an informant may be used as probable cause in a criminal investigation.

- A. Informants used on a confidential basis shall be maintained in a confidential file.
 1. The CID Commander, Chief Deputy, or Sheriff shall approve all confidential informants.
 2. The Chief Deputy will maintain the Confidential Informant File.
 3. The Confidential Informant File will contain:
 - a. Background information (COOPERATING INDIVIDUAL ESTABLISHMENT REPORT)
 - b. Criminal history
 - c. Payments made to the informant
 - d. A photograph, and assigned number
 - e. MEMORANDUM OF AGREEMENT, if informant is working off charge.
 - f. COOPERATING INDIVIDUAL UNDERSTANDING form completed and signed.
 - g. Previous contacts / cooperative past history.
- B. The Bowie County Sheriff's Office will provide funds to be used to support the informant operations.
 1. The fund will be the direct responsibility of the Chief Deputy who shall have sole access to the fund.
 2. Informants shall be paid based on the following factors:
 - a. The information was instrumental in clearing a case
 - b. Multiple cases were cleared as a result of the informant;
 - c. The normal course of the investigation would not have developed the information
 - d. Amount of stolen property was recovered
 - e. The informant has provided valuable information in the past

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3. The Informant Fund Disbursement Log will be maintained and include:
 - a. Date funds are disbursed
 - b. Case number, if applicable
 - c. Amount disbursed
 - d. Purpose
 - e. Personnel who received funds for payment to the informant
 - f. Receipts for the funds from the officer and informant
 - g. Subsequent enforcement action

- C. Confidential Informer - The investigator must be able to show that the information is credible and reliable or must be reliable based on the previous use of the informant from whom the information comes.
 1. The officer should state the informant is credible.
 2. The officer should list the specific number of times the informant provided information and it turned out to be true.
 3. The officer should list the specific number of prior arrest or successful searches that have been made because of information provided by the informant.

- D. First-Time Informer – Information can be used as long as facts are included in the affidavit to give the judge a reason to believe him.
 1. The person lacks a criminal record in the city / county and with the Texas Department of Public Safety
 2. The person has a good reputation for truthfulness in the community
 3. The person is gainfully employed

- E. Anonymous Informer – Most courts have held that generally, information given by an anonymous informer will never, standing alone, be sufficient to establish probable cause. If the officer wants to use information from an unidentified source, the officer may establish credibility by corroborating some of the information.

- F. Investigators using the information provided by an informant will:
 1. Verify the information provided by the informant on the Cooperating Individual Establishment Report.
 2. Collaborate the information provided by the informant concerning the investigation. Such as:
 - a. The address and ownership of the real property involved,
 - b. The identity of the suspect, name, date of birth, criminal history,
 - c. A description of vehicles involved,

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- d. The identity of the other actors involved
 - e. Audio or video of informants contact with suspect,
 - f. Visual observations of the investigator confirming statements of informant.
- G. Investigators utilizing an informant of the opposite sex will always be accompanied by another officer when meeting the informant.
- H. Suspected contraband or other items of evidence purchased by an informant or undercover officer with confidential funds will be marked as evidence and placed in the Property Section.
- 1. If a CCN # is not needed a Confidential Informant Buy (CIB) number will be used to identify the property. The CIB number will begin with the letters CIB and followed by the date of the buy, example CIB06-24-06A. In the unlikely event a second or third CI buy occurs on the same date, the letter B, or C will be added to the CI number instead of A.
 - 2. One copy of the property report will be attached to the contraband, and another forwarded to the Chief Deputy to be placed in the CI file.
 - 3. A suspected controlled substance will be field-tested.
 - 4. A short narrative will be written on the property report concerning the buy. Refer to the CI by his confidential number. Attached to the Chief Deputy's copy will be a supplemental report containing a narrative of the buy. Included will be the amount of funds spent, the identity of the suspect, and location of the purchase.
 - 5. The officer will note on the property report if the contraband is to be destroyed or held for evidence.

Confidential Fund Dispersments Log

Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
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Date	Officer	case #	Amount of Funds	Disposition
------	---------	--------	-----------------	-------------

Date	Officer	case #	Amount of Funds	Disposition
------	---------	--------	-----------------	-------------

Case number is the CCN number or Confidential Informant Buy number (CIB)



**TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
Cooperating Individual Establishment Report**



COOPERATING INDIVIDUAL # _____ DATE _____

IDENTIFICATION OF THE INDIVIDUAL:

C/I Class: (I) or (II)

NAME _____

ADDRESS _____ CITY _____ STATE _____

SEX _____ RACE _____ DOB _____ POB _____

HEIGHT _____ WEIGHT _____ HAIR _____ EYES _____

FBI# _____ DPS# _____ SSN# _____ MISC# _____

BACKGROUND

CCH: YES NO

PHOTO YES NO

PROBATION / PAROLE: YES NO

ALIASES AND IDENTIFYING MARKS AND TATOOS: _____

OCCUPATION/POSITION _____

PLACE OF EMPLOYMENT _____ PHONE # _____

MARITAL STATUS _____ SPOUSE'S NAME _____

SPOUSE'S OCCUPATION _____

PLACE OF EMPLOYMENT _____ PHONE# _____

CRIMINAL ASSOCIATES: _____

INFORMATION EXPECTED: _____

MOTIVATION: _____

UTILIZATION: _____

**TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
Cooperating Individual Establishment Report**

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Revised 02/03

BY: _____ ID# _____ APPROVED BY: _____

CLASS I APPROVED BY: _____

CAUSE NO. _____

CCN NO. _____

STATE OF TEXAS

{ } IN THE DISTRICT COURT

VS.

{ } OF

{ } BOWIE COUNTY, TEXAS

MEMORANDUM OF AGREEMENT

This memorandum verifies the agreement between _____
and the following law enforcement agencies:

BOWIE COUNTY SHERIFF OFFICE
&
BOWIE COUNTY DISTRICT ATTORNEY OFFICE

The terms of the agreement and the consideration given in exchange are listed below.

TERMS OF THE AGREEMENT

_____ agrees to perform the following:

1. Upon the release from jail _____ will contact via telephone the Control Investigator at least once a day as directed.
2. _____ will impart all truthful information regarding the individuals and associates named in this agreement concerning narcotic activities in the State of Texas.
3. _____ will participate as directed and as requested by law enforcement agencies in the State of Texas in the introduction of undercover officers and purchases of controlled substances from the individuals named in this agreement.
4. _____ will supply such information when requested by law enforcement agencies in the State of Texas for the purpose of finding probable cause for search and arrest warrants.

5. _____ will provide truthful testimony in open court if REQUIRED to do so concerning criminal prosecution of individuals named in this agreement.

6. In order to fulfill this agreement, _____ cooperation must result in the indictment / arrest of the following individuals for violation of Texas Controlled Substance Laws and violations of the Texas Penal code.

7. _____ agrees and understands that while working for law enforcement officials under the terms of this agreement _____ will not violate any of the laws of the State of Texas, or any other State or Federal law in the United States of America.

8. Failure to complete the terms and conditions of this agreement will result in the prosecution of _____ for the below listed charge.

CONSIDERATION

In exchange for the above listed cooperation in the State of Texas Vs.

_____, the undersigned law enforcement officials agree to
(NAME TERMS) _____

Bowie County District Attorney

Bowie County Sheriff (Officer)

(Defendant or cooperating individual)

COOPERATING INDIVIDUAL UNDERSTANDING
BOWIE COUNTY SHERIFF'S OFFICE

- a. You ARE NOT a police officer and you WILL NOT represent yourself as such in any way, at any time, or under any circumstances.
- b. You ARE NOT authorized to carry a weapon at any time in connection with your work for the Bowie County Sheriff Office, even under a concealed handgun permit or any other claim of right or authority.
- c. There is NO information of such value as to require you to use illegal drugs in order to obtain it. You ARE NOT authorized to possess or purchase illegal drugs, stolen property, illegal weapons, or other contraband items without the prior knowledge and specific direction of your Control Investigator.
- d. If you are arrested by any police agency for any reason, you WILL contact your Control Investigator as soon as possible and explain the events leading to the arrest.
- e. You ARE NOT to tell anyone what you are doing for the Bowie County Sheriff Office without specific permission from your Control Investigator. This includes a girl friend, boy friend, close friend, relative, etc.
- f. The Bowie County Sheriff Office CANNOT guarantee that you will not be called to testify in any criminal or civil case arising from this understanding. You may have to testify and, if called upon, you WILL do so truthfully.
- g. If you receive any monetary reward in this case, you WILL be required to sign for the reward in the presence of your Control Sergeant Investigator.
- h. You ARE NOT to violate any law while gathering information for the Bowie County Sheriff Office. We WILL notify the police agency having proper jurisdiction of any such violation.

(i.) _____ **SPECIAL CONDITIONS:** (1) You are now on (probation) (parole) for a (misdemeanor) (felony) offense and, for this reason, you cannot associate with any person who has a criminal background or who is committing criminal acts. (2) As a part of this understanding, the Bowie County Sheriff has obtained permission from _____ to use you and your knowledge to assist the Department while investigating violations of the Health and Safety Code and other criminal offenses which may be discovered. (3) Even with this permission of use, you still cannot associate with any person who has a criminal background or who is committing criminal acts unless your Control Investigator has prior knowledge and has specifically directed you to do so. (4) This permission is very limited. It does not grant you unlimited permission to contact or socialize with this person for any other reason, such as social or business contact, unless at the specific direction of your Control Sergeant Investigator. (5) This permission is only for the limited contact allowed by your Control Sergeant Investigator. (6) All other contact is not authorized.

I have read, understand, and agree to the above regarding my conduct as a cooperating individual for the Bowie County Sheriff Office.

(Printed Name of Cooperating Individual)

(Signature of CI)

(Date signed)

(Witness: Control Investigator)

(Date signed)

(CI number)

(Supervisor's approval)

5-D PROPERTY CUSTODIAN DUTIES

A. RESPONSIBILITIES

- 1. The Property Custodian shall be responsible for the direct control, inventory and security of all property seized by members of the Bowie County Sheriff's Office. The Property Custodian will report to the Criminal Investigation Division Captain.**
- 2. At least once a year the Property Custodian will conduct an inventory to lawfully dispose of unclaimed items or weapons ordered for destruction by the Courts, in accordance to regulations set forth in the Texas Code of Criminal Procedure.**
- 3. The Sheriff may direct unannounced inspections of the property and evidence storage areas at his discretion.**
- 4. Should a new Property Custodian be designated, an inventory will be conducted to ensure that all records have been properly maintained and are correct. This inventory will be conducted jointly, if possible, by the new Property Custodian and the outgoing Property Custodian, under the supervision of the Criminal Investigation Division Captain.**

B. Access by Sheriff's Office Personnel to Property and Evidence Storage

- 1. All property and evidence stored by the Sheriff's Office will be properly marked and secured in the areas designated for property storage.**
- 2. The Property Custodian will be the only person who will have access to the property storage areas. Note the Criminal Investigation Division Commander and the Property Custodian will have access to the temporary storage lockers. Other persons may enter the property storage area provided the Property Custodian is present and with his permission.**
- 3. Exception – in the event the Property Custodian is unavailable and a need arises the Criminal Investigation Division Captain may assume the responsibilities of the Property Custodian or whomever the Sheriff may designate.**

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C. Property Records

Property records will be maintained by the Property Custodian and will reflect the status of all property and evidence stored by the Sheriff's Office. These records will include all records relating to seizure, storage, release and destruction of all property and evidence.

Revised February 17, 2010

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PROPERTY DISPOSAL

Property and / or evidence recovered by the Bowie County Sheriff's Office will be disposed of in the following manner:

A. Disposal of Lost or Abandoned Property

1. If the property owner is known, the Property Custodian will contact them if possible, by phone. The owner will be given seven (7) days to claim the property. After seven (7) days or if the owner cannot be contacted by phone, a certified letter will be sent giving the owner sixty (60) days to claim the property. The owner will be asked to provide the circumstances surrounding the loss or theft of the property. If applicable, this information will be provided to the Criminal Investigation Division for follow-up.
2. The Property Custodian will have the owner date and sign the property card to show receipt of the property. Necessary entries will be made in the paperwork to reflect the release of the property.
3. If the property owner is unknown, refuses to appear or cannot be located, the property will be held for sixty (60) days. All unclaimed property will be inventoried by the Property Custodian. Any property found to have no value will be destroyed. A list of these items will be maintained. The remaining property will be held for disposal by means of a Sheriff's sale.

B. Disposal of Weapons and Ammunition

1. Weapons will not be released without proper authorization. In compliance with federal law, weapons will not be released to convicted felons. When firearms are to be released to the owner after proper authorization and completion of paperwork, the Property Custodian or Investigator releasing the firearm will escort the person and weapon outside the building.
2. If the weapon is held for evidence in a criminal case, the Magistrate hearing the case should issue a court order disposing of the weapon in accordance with Article 18.19 of the Texas Code of Criminal Procedure.
3. If there is no prosecution or conviction for an offense involving the weapon seized, the Property Custodian will receive an order for the release of the weapon from the District Attorney's Office. The owner of the weapon or his/her attorney usually obtains this order.

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4. The owner will be contacted by phone, if possible, and will be given seven (7) days to claim the weapon. If the weapon is not claimed within seven (7) days, a certified letter will be sent to the last known address, giving the owner sixty (60) days to claim the weapon. If the weapon is not claimed within the sixty (60) day period, the Property Custodian will obtain a court order from a District Judge ordering the weapon abandoned, and forfeited to Bowie County.

C. Disposal of Alcoholic Beverages

Alcoholic beverages shall be disposed of sixty (60) days after final disposition. When a sufficient quantity of alcoholic beverages is ready for disposal, the Property Custodian will notify the Texas Alcoholic Beverage Commission. All alcoholic beverages will be released to an agent from the Texas Alcoholic Beverage Commission. Empty containers will be disposed of as appropriate.

D. Disposal of Recovered Stolen Property

Property, which is alleged to have been stolen, may be photographed and returned to its owner if there is no disputed claim to its ownership. Deputies who recover stolen property, whose ownership is in dispute, shall request a property hearing as provided in Chapter 47 of the Texas Code of Criminal Procedure. The presiding Magistrate of the property hearing will determine the disposition of the property.

E. Disposal of Drugs and Controlled Substances

1. The Property Custodian will need to check all drug case dispositions and prepare an itemized list of drugs to be destroyed for each case that is filed with the District Attorney's Office. This list will be presented to a district judge to obtain a destruction order. Controlled substance property that is seized but not associated with a case may be destroyed without a court order in accordance with section 481.153 of the Health and Safety Code. Controlled substance property is defined as "controlled substances, mixture containing a controlled substance, controlled substance analogue, counterfeit controlled substance, drug paraphernalia, chemical precursor, chemical laboratory apparatus, or raw material."
2. The Property Custodian and at least one deputy will transport the drugs to a designated site and the drugs will be destroyed. Following the destruction, the Destruction Inventory List will be signed by all of the witnesses and retained by the property custodian.

Revised June 7, 2016

Policy on Eyewitness Identification

I. Purpose

The purpose of this policy is to outline proper protocol for eyewitness identification procedures for photographic, show-up, and live lineup identifications which maximize the reliability of identifications, protect innocent persons, and establish evidence that is reliable and conforms to established legal requirements.

II. Policy

Eyewitness identifications are a significant component of many criminal investigations. The identification process must be carefully administered to minimize the likelihood of misidentifications. Moreover, constitutional safeguards must be observed in the process. The goal of reducing erroneous convictions can be furthered in many ways. Employing the most rigorous eyewitness identification methods is one way of doing this, but there are others. The eyewitness identification process is only one step in the criminal investigative process, albeit an important one. Corroborative evidence, for example, will lessen the impact of erroneous eyewitness identification. The more of other evidence that is available, the less risk there is of conviction based solely on erroneous eyewitness identification. There is no substitute for a competent and thorough criminal investigation.

Evidence-based and best practices surrounding the collection and preservation of eyewitness evidence are addressed as are procedures to be employed where witnesses or victims are unable to read or write, are non-English speaking, or possess limited English language proficiency.

III. Procedural Guidelines

Definitions

1. **Blind Procedure** – A procedure wherein the person administering the live lineup or photo array does not know who the suspect is.
2. **Blinded Photo Array Procedure** – A procedure wherein the person who administers the photo array knows who the suspect is, but each photo is presented so that the administrator cannot see or track which photograph is being presented to the witness.
3. **Folder Shuffle Method** – A method of administering a photo array such that the administrator cannot see or track which photograph is being presented to the witness

until after the procedure is completed. This method is employed when a blind procedure is not possible.

4. Fillers – Non-suspect photographs or persons. Fillers are selected to both fit the description of the perpetrator provided by the witness and to ensure that no individual or photo stands out.

5. Illiterate Person – An individual who speaks and understands English but cannot read and write in English.

6. Interpreter – An interpreter is a person who is fluent in English and the language of the witness or victim and who facilitates communication between two parties in two different languages. The term includes persons who facilitate communication with persons who are deaf, hearing impaired, or speaking impaired.

7. Live lineup – An identification procedure in which a group of persons is displayed to the witness or victim in order to identify or exclude the suspect.

8. Person with Limited English Proficiency – An individual who is unable to communicate effectively in English with a level of fluency that is typical of native English speakers. Such a person may have difficulty speaking, reading, or writing in English and includes persons who can comprehend English, but are physically unable to talk or write.

9. Photo Array – An identification procedure in which a series of photographs is displayed to the witness or victim in order to identify or exclude the suspect.

10. Sequential Live Lineup or Photo Array – An identification procedure in which the persons in the live lineup or the photographs in the photo array are displayed one by one (sequentially).

11. Show-up – An identification procedure in which a single suspect is shown to a victim or witness soon after the commission of a crime for the purpose of identifying or eliminating the suspect as the perpetrator.

12. Witness Certification Statement – A written statement that is read out loud to the witness or victim describing the procedures of the identification process.

A. Selecting the Best Identification Method

1. Photo arrays are preferred over other techniques because: (a) they can be controlled better, (b) nervousness can be minimized, and (c) they are easier to manage logistically.

2. Because they involve multiple persons under relatively controlled circumstances, a properly conducted live lineup, like a properly conducted photo array, is preferable

to a show-up.

3. Because they are highly suggestive, show-ups are vulnerable to challenges to their validity. Consequently, a show-up should be employed only where other indicia of guilt are present (e.g., suspect located relatively close in time and place to the crime).
4. Because witnesses may be influenced, however unintentionally, by cues from the person administering the procedure, a blind administrator should be used. This can be achieved through the use of a blind procedure or a blinded photo array procedure (e.g. the folder shuffle method).
5. Because research shows the sequential presentation of live lineups and photo arrays is less likely to result in misidentification and carry very little risk of increasing the likelihood of failure to identify the suspect, a sequential presentation should be used.

B. Selecting Fillers

All persons in the photo array or live lineup should be of the same sex and race and should be reasonably similar in age, height, weight, and general appearance. Ideally, the characteristics of the filler should be consistent with the description of the perpetrator provided by the witness(es). Where there is a limited or inadequate description of the perpetrator provided by the witness(es), where the description of the perpetrator differs significantly from the appearance of the suspect, where a witness has provided a highly detailed description, or where the witness's description of the perpetrator or the suspect has a highly distinctive feature, fillers should be chosen so that no person stands out in the live lineup or photo array.

C. Explaining that the Perpetrator May or May Not Be Present

Because witnesses may be under pressure to identify a suspect, they should be informed that the suspect may or may not be present in a live lineup or photo array and that the person presented in a show-up may or may not be the perpetrator.

D. Explaining that the Investigation will Continue

The administrator should also explain to the witness that the investigation will continue, regardless of whether an identification is made, as another way of alleviating pressure on the witness to identify a suspect.

E. Witness Contamination

Precautions must be taken to ensure that witnesses do not encounter suspects or fillers at any time before or after the identification procedure. Avoid multiple identification procedures in which the same witness views the same suspect more than once. When

showing a different suspect to the same witness, do not reuse the same fillers from a previous live lineup or photo array shown to that witness. Witnesses should not be allowed to confer with each other before, during, or after the identification procedure. Ensure that no one who knows the suspect's identity is present during live lineup or photo array procedure. In some live lineups, exceptions must be made to allow for the presence of defense counsel.

F. Documenting the Procedure

In order to strengthen the evidentiary value of the identification procedure, it should be documented in full. Video documentation is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented.

IV. Standard Operating Procedures

The procedures which follow have been designed to: (a) reduce erroneous eyewitness identifications, (b) enhance the reliability and objectivity of eyewitness identifications, (c) collect and preserve eyewitness evidence properly, (d) respect the needs and wishes of victims and witnesses, and (d) address the needs of witnesses with limited English proficiency, where applicable.

In order to choose among the various identification methods, a brief description of each method follows in order of most preferred method to least preferred. Once the appropriate method is selected, the administrator should go directly to the Sample Standard Operating Procedures for that particular method. In any given situation only one set of Standard Operating Procedures applies.

Descriptions of Eyewitness Identification Methods

1. Sequential, Blind Photo Array – photo arrays where the photographs are presented one at a time to the witness or victim by a person who does not know who the suspect is. This method requires a preparer who may be familiar with the case and an administrator who does not know the identity of the suspect.

2. Sequential, Blinded Photo Array – photo arrays where the photographs are presented one at a time to the witness or victim by a person who knows who the suspect is, but who takes steps (putting the photographs in folders and shuffling them) to avoid knowledge of which person the witness or victim is looking at. This method typically involves an administrator who is familiar with the case and knows who the suspect is.

3. Sequential Live Lineup – live lineups where the persons in the live lineup are presented one at a time to the witness or victim. This method requires a preparer who may be familiar with the case and an administrator who does not know the

identity of the suspect.

4. Show-up – procedure where the witness or victim is presented with a single suspect and asked to identify whether that suspect is the perpetrator. This procedure can be carried out by any officer.

Standard Operating Procedures for Sequential, Blind Photo Array

Preparation

a. Designating a Preparer

Preparing the photo array should be undertaken by someone other than the person who will administer the photo array. Ideally, the investigating officer will prepare the photo array as this ensures that others who might be involved in the case are not used as fillers. Moreover, because the investigating officer knows who the suspect is, he or she should not be conducting the actual administration of the photo array.

b. Selecting Suspect Photograph

If multiple photos of the suspect are available, choose the photo that most resembles the suspect's appearance at the time of the crime. Do not include more than one photograph of the same suspect. If you do not know what the suspect looked like at the time of the crime, choose the photo that most resembles the victim's or witness's description of the perpetrator. If there are multiple suspects, include only one suspect's photo in the array.

c. Selecting Fillers

All persons in the photo array should be of the same sex and race and should be reasonably similar in age, height, weight, and general appearance. Ideally, the characteristics of the filler should be consistent with the description of the perpetrator provided by the witness(es). Where there is a limited or inadequate description of the perpetrator provided by the witness(es), where the description of the perpetrator differs significantly from the appearance of the suspect, fillers should be chosen so that no person stands out in the photo array. Do not mix color and black and white photos. Use photos of the same size and basic composition. Never mix mug shots with other types of photographs.

d. Choosing Number of Fillers

Wherever possible, include a minimum of five fillers. Because increasing the number of fillers tends to increase the reliability of the procedure, one may have more than the minimum number of fillers.

e. Ensuring Similarity

Assess the array to ensure that no person stands out from the rest. Cover any portions of the photographs that provide identifying information on the suspect

and similarly cover other photographs used in the array.

f. Placing Subject Photographs in Order

1. Place a filler in the lead position.
2. Place the remaining photographs which will comprise the photo array in random order.
3. Place two blank photographs at the end (blanks on the same type of photographic paper as the actual photographs but which will not be shown to the witness; this is intended to cause the witness to think there may still be photographs to view in order to reduce pressure to choose what the witness may presume to be the last photograph).

g. Presenting the Photo Array to the Independent Administrator

Present the ordered photo array to the independent administrator. Do not tell the independent administrator which position the suspect is in.

Administration

The administrator of the photo array presentation should be an independent administrator who does not know the identity of the suspect and the witness should be informed of this. In a blind procedure, no one should be present who knows the suspect's identity.

a. Blinded Administration

If the blind procedure described above is not followed, then the photo array administrator should document the reason why and the administrator should be blinded. That is, he or she should conduct the photo array in a manner such that he or she does not know which person in the array the witness is looking at. There is a separate sample standard operating procedure for blinded photo array administration in this model policy immediately following this standard operating procedure.

b. Instruct Witness

Each witness should be instructed outside the presence of the other witnesses. The independent administrator should give the witness a written copy of the following Witness Certification Statement and should read the instruction statement aloud at the beginning of each identification procedure:

Witness Certification Statement

In a moment, I am going to show you a series of photos. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included.

Even if you identify someone during this procedure, I will continue to show you all photos in the series.

The investigation will continue whether or not you make an identification.

Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The photos will be shown to you one at a time. Take as much time as you need to look at each one. After each photo, I will ask you "Is this the person you saw [insert description of act here]?" Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the photo array procedure will be conducted and the other instructions I have given you?

See Appendix A.

c. Document Consent to Participate

Witnesses should then be asked to read the following additional paragraph and sign and date below.

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the photographs, and I will follow the instructions provided on this form.

Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that the witness was appropriately instructed.

d. Presentation of Photographs

Present each photo to the witness separately (one at a time), in order. When the witness is finished viewing the photo, have the witness hand the photo back.

e. Question Witness

After the witness has looked at a photo and handed it back to you, ask: **"Is this the person you saw [insert description of act here]?"** If the witness answers

"Yes," ask the witness, **"In your own words, can you describe how certain you are?"**

f. Document Witness's Responses

Document the witness's response using the witness's own words. Have the witness complete the appropriate section of the Witness Certification Statement to reflect the outcome of the procedure.

g. Show All Photographs

Even if the witness makes an identification, show the witness the next photo until you have gone through all the photographs. If a witness asks why he or she must view the rest of the photos, despite already making an identification, simply tell the witness that to assure objectivity and reliability, the witness is required to view all of the photographs.

h. Avoid Feedback During the Procedure

Do not give the witness any feedback regarding the individual selected or comment on the outcome of the identification procedure in any way. Be aware that witnesses may perceive such things as unintentional voice inflection or prolonged eye contact, in addition to off-hand words or phrases, as messages regarding their selection. Avoid casual conversation comments such as "very good." Be polite but purposeful when you speak.

i. Additional Viewings

Only upon request of the witness, the witness may view the photo array again after the first photo array procedure has been completed. If the witness requests an additional viewing, the photo array administrator should present the entire photo array in the same order as the original presentation, a second time. If this occurs, it must be documented. The photo array administrator should never suggest an additional viewing to the witness. It is recommended that the witness not be allowed to view the photo array more than two times.

j. Subsequent Use of Materials

Ensure that if the witness writes on, marks, or in any way alters identification materials, those materials are not used in subsequent procedures.

k. Multiple Identification Procedures With Same Witness

Avoid multiple identification procedures in which the same witness views the same suspect more than once.

I. Multiple Identification Procedures With Different Witness

If you need to show the same suspect to a new witness, have the preparer remix the photo array and renumber them accordingly.

m. Multiple Suspects

When there are multiple suspects, a separate photo array should be conducted for each suspect. There should not be more than one suspect per photo array.

n. Reuse of Fillers

When showing a different suspect to the same witness, do not reuse the same fillers from a previous array shown to that witness.

o. Contact Among Witnesses

To the extent possible, prevent witnesses from conferring with each other before, during, and after the photo array procedure.

p. Identification of Special Features

Only after an identification is made, a follow-up interview should assess any relevant factors that support the identification, such as: special facial features, hair, marks, etc.

Special Procedures are Required for Illiterate Persons or Persons Who Posses Limited English Proficiency

a. Be Alert to People Who do not Speak English or Possess Limited English Proficiency.

Given the diversity of communities, police officers may encounter persons who do not speak English or who possess limited English proficiency in the course of a criminal investigation. When presented with this situation, officers should carefully consider the ethical and legal ramifications of how to handle the case when there is a language barrier.

b. Using an Interpreter

Unless the administrator speaks the victim's or witness's language fluently, an interpreter should be used for persons who do not speak English. The interpreter shall sign the Witness Instruction Statement on obtaining consent of a non-English speaking person to assist in the eyewitness identification process. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

1. Is unable to communicate in English
2. Has a limited understanding of English
3. Is deaf, hearing impaired, or speaking impaired
4. Is otherwise physically challenged to communicate in English

c. Review and Explain Forms

If the person is unable to read, the administrator, in the presence of the witness, will give the explanation, read any forms, and obtain consent and acknowledge the consent on the Witness Certification Statement, stating why the person was unable to sign the form.

Documentation

In order to strengthen the evidentiary value of the administration it should be documented in full. Video documentation (with audio) is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented. Preserve the photo array, together with all information about the identification process.

Standard Operating Procedures for Sequential, Blinded Photo Array

Preparation

a. Select Suspect Photograph

If multiple photos of the suspect are available, choose the photo that most resembles the suspect's appearance at the time of the crime. Do not include more than one photograph of the same suspect. If you do not know what the suspect looked like at the time of the crime, choose the photo that most resembles the victim's or witness's description of the perpetrator. If there are multiple suspects, include only one suspect's photo in the array.

b. Selecting Fillers

All persons in the photo array should be of the same sex and race and should be reasonably similar in age, height, weight, and general appearance. Ideally, the characteristics of the filler should be consistent with the description of the perpetrator provided by the witness(es). Where there is a limited or inadequate description of the perpetrator provided by the witness(es), where the description of the perpetrator differs significantly from the appearance of the suspect, fillers should be chosen so that no person stands out in the photo array. Do not mix color and black and white photos. Use photos of the same size and basic composition. Never mix mug shots with other types of photographs.

c. Choosing Number of Fillers

Whenever possible, include a minimum of five fillers. Because increasing the number of fillers tends to increase the reliability of the procedure, one may have more than the minimum number of fillers.

d. Ensuring Similarity

Assess the array to ensure that no person stands out from the rest. Cover any portions of the photographs that provide identifying information on the suspect and similarly cover other photographs used in the array.

e. Placing Subject Photographs in Order

1. Place a filler in a folder and set it aside for placement in the lead position.
2. Place the remaining photographs which will comprise the photo array in separate folders and place them in random order (mix them up) so you do not know which photograph is in which folder.

3. Take the folder you set aside in step 1), above and place it in the lead position.
4. Place two empty folders at the end.
5. Number the folders.

Administration

a. Blinded Administration

The purpose of a blinded administration is to conduct the photo array in a manner such that the administrator does not know which person in the array the witness is looking at.

b. Instruct Witness

Each witness should be instructed outside the presence of the other witnesses. The blinded administrator should give the witness a written copy of the Witness Instruction Statement and should read the instruction statement aloud at the beginning of each identification procedure, and should read the instructions aloud at the beginning of each identification procedure.

c. Document Consent to Participate

Witnesses should then be asked to read the additional paragraph and sign and date below. This is the same form as used in the previous procedure and is included as Appendix A. Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that the witness was appropriately instructed.

d. Present Folders

Present each folder to the witness separately (one at a time), in order. The blinded administrator should not be in a position to view the photographs while the witness is viewing the photographs. The eyewitness should be the only person viewing the photographs. When the witness is finished viewing the photo, have the witness hand the folder back.

e. Question Witness

After the witness has looked at a photo and handed it back to you, ask: **“Is this the person you saw [insert description of act here]?”** If the witness answers “Yes,” ask the witness, **“In your own words, can you describe how certain you are?”**

f. Document Witness’s Responses

Document the witness's response using the witness's own words. Have the witness complete the appropriate section of the Witness Certification Statement to reflect the outcome of the procedure.

g. Show All Folders with Photos

Show all folders containing photos to the witness. Even if the witness makes an identification, show the witness the next photo until you have gone through all the photographs. If a witness asks why he or she must view the rest of the photos, despite already making an identification, simply tell the witness that to assure objectivity and reliability, the witness is required to view all of the photographs.

h. Avoid Feedback During the Procedure

Do not give the witness any feedback regarding the individual selected or comment on the outcome of the identification procedure. Be aware that witnesses may perceive such things as unintentional voice inflection or prolonged eye contact, in addition to off-hand words or phrases, as messages regarding their selection. Avoid casual conversation comments such as "very good." Be polite but purposeful when you speak.

i. Additional Viewings

Only upon request of the witness, the witness may view the photo array again after the first photo array procedure has been completed. If the witness requests an additional viewing, the photo array administrator should present the entire photo array in the same order as the original presentation, a second time. If this occurs, it must be documented. The photo array administrator should never suggest an additional viewing to the witness. It is recommended that the witness not be allowed to view the photo array more than two times.

j. Subsequent Use of Materials

Ensure that if the witness writes on, marks, or in any way alters identification materials, those materials are not used in subsequent procedures.

k. Multiple Identification Procedures with Same Witness

Avoid multiple identification procedures in which the same witness views the same suspect more than once.

l. Multiple Identification Procedures with Different Witness

If you need to show the same suspect to a new witness, remix the photo array as before and renumber them accordingly.

m. Multiple Suspects

When there are multiple suspects, a separate photo array should be conducted for each suspect. There should not be more than one suspect per photo array.

n. Reuse of Fillers

When showing a different suspect to the same witness, do not reuse the same fillers from a previous array shown to that witness.

o. Contact Among Witnesses

To the extent possible, prevent witnesses from conferring with each other before, during, and after the photo array procedure.

p. Identification of Special Features

Only after an identification is made, a follow-up interview should assess any relevant factors that support the identification, such as: special facial features, hair, marks, etc.

Special Procedures are Required for Illiterate Persons or Persons Who Possess Limited English Proficiency

a. Be Alert to People Who do not Speak English or Possess Limited English Proficiency

Given the diversity of communities, police officers may encounter persons who do not speak English or who possess limited English proficiency in the course of a criminal investigation. Where presented with this situation, officers should carefully consider the ethical and legal ramifications of how to handle the case when there is a language barrier.

b. Using an Interpreter

Unless the administrator speaks the victim's or witness's language fluently, an interpreter should be used for persons who do not speak English. The interpreter shall sign the Witness Certification Statement on obtaining consent of a non English speaking person to assist in the eyewitness identification process. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

1. Is unable to communicate in English
2. Has a limited understanding of English
3. Is deaf, hearing impaired, or speaking impaired
4. Is otherwise physically challenged to communicate in English

c. Review and Explain Forms

If the person is unable to read, the administrator, in the presence of the witness, will give the explanation, read any forms, and obtain consent and acknowledge the consent on the Witness Instruction Statement, stating why the person was unable to sign the form.

Documentation

In order to strengthen the evidentiary value of the administration it should be documented in full. Video documentation (with audio) is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented. Preserve the photo array, together with all information about the identification process.

Standard Operating Procedures for Sequential, Blind Live lineups

Preparation

a. Designating a Preparer

Preparing the live lineup should be undertaken by someone other than the person who will administer the live lineup. Ideally, the investigating officer will prepare the live lineup as this ensures that others who might be involved in the case are not used as fillers. Moreover, because the investigating officer knows who the suspect is, he or she should not conduct the actual administration of the live lineup

b. Selecting Fillers

All persons in the live lineup should be of the same sex and race and should be reasonably similar in age, height, weight, and general appearance. Ideally, the characteristics of the filler should be consistent with the description of the perpetrator provided by the witness(es). Where there is a limited or inadequate description of the perpetrator provided by the witness(es), where the description of the perpetrator differs significantly from the appearance of the suspect, fillers should be chosen so that no person stands out in the live lineup.

c. Choosing Number of Fillers

Whenever possible, include a minimum of five fillers. Because increasing the number of fillers tends to increase the reliability of the procedure, one may have more than the minimum number of fillers.

d. Ensuring Similarity

Assess the lineup to ensure that no person stands out from the rest.

e. Placing the Subjects in Order

Place a filler in the lead position and place the remaining persons who will comprise the live lineup in random order.

f. Presenting the Live lineup to Administrator

Present the ordered live lineup to the administrator. Do not tell the administrator which position the suspect is in.

Administration

The administrator of the live lineup should be an independent administrator who does not know the identity of the suspect and the witness should be informed of this. In a blind procedure, no one should be present who knows the suspect's identity. In some live lineups, exceptions must be made to allow for the presence of defense counsel. Once the live lineup commences, defense counsel's role is limited to that of observer.

a. Instruct Witness

Each witness should be instructed outside the presence of the other witnesses. The live lineup administrator should give the witness a written copy of the following Witness Certification Statement and should read the instruction statement aloud at the beginning of each identification procedure:

In a moment, I am going to show you a series of individuals. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included. The investigation will continue whether or not you make an identification.

Even if you identify someone during this procedure, I will continue to show you all individuals in the series.

Keep in mind that things like hair styles, beards, and mustaches can be easily changed.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator.

The individuals will be shown to you one at a time. Take as much time as you need to look at each one. After each individual, I will ask you "Is this the person you saw [Insert description of act]?" Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the lineup procedure will be conducted and the other instructions I have given you?

b. Document Consent to Participate

Witnesses should then be asked to read the following additional paragraph and sign and date below.

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to view the individuals who will be presented to me, and I will follow the instructions provided on this form.

Some witnesses may decline to sign. When a witness declines to

sign, it is sufficient for the investigating officer to document that the witness was appropriately instructed.
See Appendix B

c. Presentation of Subjects

Begin with all live lineup participants out of the view of the witness. Present each subject one at a time in the order presented to the administrator by the preparer. Present each individual to the witness separately, removing those previously shown from the field of view.

d. Question Witness

After each individual is shown, ask the witness: **"Is this the person you saw [insert description of act]?"** If the witness answers "Yes," ask the witness, **"In your own words, can you describe how certain you are?"** Document the witness's response using the witness's own words.

e. Document Witness's Responses

Document the witness's response using the witness's own words. Have the witness complete the appropriate section of the Witness Certification Statement to reflect the outcome of the procedure.

f. Show Every Subject

Even if the witness makes an identification, show the witness the next subject until all subjects have been shown. If a witness asks why he or she must view the rest of the subjects despite already making an identification, simply tell the witness that to assure objectivity and reliability, the witness is required to view all of the subjects.

g. Consistency of Actions

Ensure that any identification actions (e.g., speaking, moving) are performed by all members of the live lineup.

h. Avoid Feedback During the Procedure

Do not give the witness any feedback regarding the individual selected or comment on the outcome of the identification procedure in any way. Be aware that witnesses may perceive such things as unintentional voice inflection or prolonged eye contact, in addition to off-hand words or phrases, as messages regarding their selection. Avoid casual comments such as "very good." Be polite but purposeful when you speak.

i. Additional Viewings

Only upon request of the witness, the witness may view the lineup again after the first live lineup has been completed. If the witness requests an additional viewing, the independent administrator should present the entire live lineup a second time. If this occurs, it must be documented. The live lineup administrator should never suggest additional viewing. It is recommended that the witness not be allowed to view the live lineup more than two times.

j. Multiple Identification Procedures With Same Witness

Avoid multiple identification procedures in which the same witness views the same suspect more than once.

k. Multiple Identification Procedures With Different Witness

If you need to show the same suspect to a new witness, have the preparer change the order of the subjects in the lineup.

l. Multiple Suspects

When there are multiple suspects, a separate live lineup should be conducted for each suspect. There should not be more than one suspect per lineup.

m. Reuse of Fillers

When showing a different suspect to the same witness, do not reuse the same fillers from a previous lineup shown to that witness.

n. Contact Among Witnesses

To the extent possible, prevent witnesses from conferring with each other before, during, and after the live lineup procedure.

o. Contact between Witnesses, Suspects, and Fillers

Take precautions to ensure that witnesses do not encounter suspects or fillers at any time before or after the identification procedure.

p. Identification of Special Features

Only after an identification is made, a follow-up interview should assess any relevant factors that support the identification, such as: special facial features, hair, marks, etc.

Special Procedures are Required for Illiterate Persons or Persons Who Possess Limited English Proficiency

a. Be Alert to People Who do not Speak English or Possess Limited English Proficiency

Given the diversity of communities, police officers may encounter persons who do not speak English or who possess limited English proficiency in the course of a criminal investigation. Where presented with this situation, officers should carefully consider the ethical and legal ramifications of how to handle the case when there is a language barrier.

b. Using an Interpreter

Unless the administrator speaks the victim's or witness's language fluently, an interpreter should be used for persons who do not speak English. The interpreter shall sign the Witness Certification Statement on obtaining consent of a non-English speaking person to assist in the eyewitness identification process. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

1. Is unable to communicate in English
2. Has a limited understanding of English
3. Is deaf, hearing impaired or speaking impaired
4. Is otherwise physically challenged to communicate in English

c. Review and Explain Forms

If the person is unable to read or write, the administrator, in the presence of the witness, will give the explanation, read any forms, and obtain consent and acknowledge the consent on the Witness Certification Statement, stating why the person was unable to sign the form.

Documentation

In order to strengthen the evidentiary value of the administration, it should be documented in full. Video documentation (with audio) is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented. A still photograph of each individual in the live lineup should be taken and details of all persons present during the live lineup should be documented.

Standard Operating Procedures for Show-ups

Show-ups should be avoided whenever possible because of their suggestiveness. Photo arrays and live lineups are preferred. However, where circumstances require the prompt display of a suspect to a witness, the following procedures should be followed to minimize potential suggestiveness.

Preparation

a. Contact Among Witnesses

Separate witnesses and do not allow communication between them before or after conducting a show-up.

b. Document Witness's Description of Perpetrator

Document the witness's description of the perpetrator prior to conducting the show-up.

c. Temporal and Spatial Proximity to the Offense

Use show-ups only where the suspect is detained within a reasonably short time frame following the offense and is found in relatively close proximity to it. Although this is dependent on the individual circumstances of each case, courts have generally held that a two-hour time lapse is acceptable.

d. Transport Witness to Suspect

Transport the witness to the location of the suspect whenever practical, rather than bringing the suspect to the witness. The suspect may be taken to a location where the witness can view the suspect for possible identification.

e. Do not Return Suspect to Crime Scene

Suspects should not be taken to the scene of the crime.

f. Disclosure of Location of Witness's Home

Consider carefully whether to take the suspect to the witness's or victim's home.

g. Avoid Appearance of Guilt

Do not conduct show-ups when the suspect is in a patrol car, handcuffed, or physically restrained by police officers unless such protective measures are necessary to ensure safety.

h. Minimize Reliance on Show-ups

If one witness identifies the suspect, you are strongly urged to use a photo array or a live lineup with any remaining witnesses.

Administration

a. Instruct Witness

Each witness should be instructed outside the presence of the other witnesses. The show-up administrator should give the witness a written copy of the following Witness Certification Statement and should read the instruction statement aloud at the beginning of the show-up identification procedure:

In a moment, I am going to show you a person who may or may not be the person who committed the crime.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The investigation will continue whether or not you make an identification.

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the procedure and the instructions I have given you?

See Appendix C

b. Presentation of Suspect and Questioning of Witness

Present the suspect to the witness and ask the witness whether the person they are looking at is the person they saw commit the crime.

If the witness answers "Yes," ask the witness to describe, in their own words, how certain they are.

c. Document Witness's Response

Document the witness's response using the witness's own words.

d. Multiple Identification Procedures With Same Witness

Avoid multiple identification procedures in which the same witness views the same suspect more than once.

e. Avoid Requirement of Performance by the Suspect

Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.

f. Avoid Conduct Suggestive of the Suspect's Guilt

Officers should avoid words or conduct that may suggest to the witness that the individual is or may be the perpetrator.

g. Contact Among Witnesses

Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.

Special Procedures are Required for Illiterate Persons or Persons Who Possess Limited English Proficiency

a. Be Alert to People Who do not Speak English or Possess Limited English Proficiency

Given the diversity of communities, police officers may encounter persons who do not speak English or who possess limited English proficiency in the course of a criminal investigation. Where presented with this situation, officers should carefully consider the ethical and legal ramifications of how to handle the case when there is a language barrier.

b. Using an Interpreter

Unless the show-up administrator speaks the victim's or witness's language fluently, an interpreter should be used for persons who do not speak English. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

1. Is unable to communicate in English
2. Has a limited understanding of English
3. Is deaf, hearing impaired, or speaking impaired
4. Is otherwise physically challenged to communicate in English

Documentation

In order to strengthen the evidentiary value of the administration it should be documented in full including the time, date, and location of the procedure, identities of persons present, and the outcome of the procedure. Video documentation (with audio) is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented.

Appendix A

Witness Certification Statement for Photo Array

Reference No.: _____ Offense: _____ Date of Offense: _____

Witness: _____

Time _____ Date _____ and Place of Photo Array: _____

Persons present: _____

Instructions:

In a moment, I am going to show you a series of photos. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included.

The investigation will continue whether or not you make an identification. Even if you identify someone during this procedure, I will continue to show you all photos in the series. Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The photos will be shown to you one at a time. Take as much time as you need to look at each one. After each photo, I will ask you "Is this the person you saw (describe act) _____?" Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the photo array procedure will be conducted and the other instructions I have given you?

Consent to Participate:

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the photographs and I will follow the instructions provided on this form.

Signed: _____
(Witness)

I certify that I have translated and read the instructions to the witness.

Signed: _____
(Translator, if applicable)

Signed: _____
(Photo Array Administrator)

Identification Result:

I have picked photo number _____

Signed: _____
(Witness)

I did not pick anyone from the photo array

Signed: _____
(Witness)

Witness Confidence Statement

Administrator Certification:

The photo that was picked from the photo array by the above-named witness has been identified as _____

Signed: _____
(Photo Array Administrator)

Appendix B

Witness Certification Statement for Live Lineup

Reference No.: _____ Offense: _____ Date of Offense: _____

Witness: _____

Time _____ Date _____ and Place of Photo Array: _____

Persons present: _____

Instructions

In a moment, I am going to show you a series of individuals. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included.

The investigation will continue whether or not you make an identification. Even if you identify someone during this procedure, I will continue to show you all individuals in the series.

Keep in mind that things like hair styles, beards, and mustaches can be easily changed.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator.

The individuals will be shown to you one at a time. Take as much time as you need to look at each one. After each individual, I will ask you "Is this the person you saw (describe act) _____?"

Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the lineup procedure will be conducted and the other instructions I have given you?

Consent to Participate:

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the photographs and I will follow the instructions provided on this form.

Signed: _____
(Witness)

I certify that I have translated and read the instructions to the witness.

Signed: _____
(Translator, if applicable)

Signed: _____
(Live Line up Administrator)

Identification Result:

I have picked person number _____

Signed: _____
(Witness)

I did not pick anyone

Signed: _____
(Witness)

Witness Confidence Statement

Administrator Certification:

The individual that was picked from the live lineup by the above-named witness has been identified as _____.

Signed: _____
(Live Line up Administrator)

Appendix C

Witness Certification Statement for Show up

Reference No. _____ Offense: _____ Date of Offense: _____

Witness: _____

Time _____ Date _____ Place Show up: _____

Persons present: _____

Instructions:

In a moment, I am going to show you a person who may or may not be the person who committed the crime.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator.

The investigation will continue whether or not you make an identification.

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the procedure and the instructions I have given you?

Consent to Participate:

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the individual(s) and I will follow the instructions provided on this form.

Signed: _____
(Witness)

I certify that I have translated and read the instructions to the witness.

Signed: _____
(Translator, if applicable)

Signed: _____
(show up Administrator)

Identification Result:

I have identified this person as the perpetrator

Signed: _____
(Witness)

I did not identify this person as the perpetrator

Signed: _____
(Witness)

Witness Confidence Statement

Administrator Certification:

The individual that was viewed at this show up by the above-named witness has been identified as _____

Signed: _____
(show up Administrator)

6-A

SERVICES SECTION

The Services Section is a branch of the Patrol Division, as such is under the command of the Patrol Captain. The Services Section is under the direct supervision of the Services Lieutenant.

A. SERVICE SECTION DUTIES

1. To receive, process and serve or attempt to serve all legal documents presented to the Bowie County Sheriff's Office.
2. To maintain record of the services rendered by this Section.
3. To make effective service or attempted service of all received documents within the specified dates the order is in effect.
4. Transport prisoners to/from Court, other law enforcement agencies, correctional facilities, hospitals, doctor visits, or any other necessary transport.
5. Arrange for transport of mental commitments to appropriate hospitals or facilities.
6. Courtroom security.
7. Arrange for extradition of persons arrested in other jurisdictions.
8. Any other duty the Sheriff assigns to this Section.

B. ADDITIONAL SERVICES SECTION LIEUTENANT DUTIES

The Services Section Lieutenant is responsible for the supervision of all Bowie County Sheriff's Office owned vehicles, and all equipment/property assigned to the Services Section.

C. VEHICLE OPERATION

1. All persons operating a Bowie County vehicle will have a valid driver's license, and be listed as a vehicle operator on Bowie County Insurance.
2. Any person operating a Bowie County 15 passenger van will be trained in the safe operation of a 15 passenger van and must pass a test administered by the Services Lieutenant before operating the vehicle.

Effective 1-31-2013

Transport Request

Date of Transport _____

Officer(s) Assigned _____

Names Of Subject To Be Transported

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

Transported From: _____

Transported To: _____

Male ___ Female ___ TDC ___ MH ___ DR. ___ CRT ___ JUV ___ ISF ___ REST ___ Other ___

Appointment Time _____ Contact # or Person _____

Ending Mileage _____
 Beginning Mileage _____
 Total Mileage _____
 Total Gallons _____
 Total Amt Food _____

Vehicle: _____
 Check Items: License Plate _____, Oil _____
 Headlights _____, Brakes _____, Tires, _____
 Vehicle Clean _____, Brake Lights _____
 Turn Signals _____, Wipers _____
 Other _____
 New Damage _____

Left: _____

Left: _____

Arrived: _____

Arrived: _____

Left: _____

Left: _____

Arrived: _____

Arrived: _____

Misc. _____

BOWIE COUNTY SHERIFF'S RESERVE

GENERAL MANUAL

TABLE OF CONTENTS

INTRODUCTION

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AUTHORIZATION

OBJECTIVE & GOALS

ADMINISTRATIVE GOALS

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1. INTRODUCTION

The Bowie County Sheriff's Department is faced with a large responsibility with only limited staff, therefore, making it necessary to add additional personnel from time to time. With this in mind, the Sheriff has requested support from citizens who are willing to volunteer their time and efforts as the need may arise. With the efforts of law enforcement and citizens this responsibility can be met, thus making our county a place that we can all enjoy.

2. NAME

The organizing of citizens and law enforcement together shall be known as the "Bowie County Sheriff's Reserve."

3. AUTHORIZATION

The legislature enacted Senate Bill 628 into law effective September 1, 1979, authorizing Commissioners Courts to adopt a resolution allowing the Sheriff of a county to have a reserve force. On April 20, 1981, Bowie County Commissioners Court passed the resolution authorizing the Sheriff of Bowie County to have a reserve force.

4. OBJECTIVE AND GOALS

The objective and purpose of this organization is to aid and assist the Sheriff's regular staff when called upon.

A. Search Unit: to assist the Sheriff of Bowie County on search parties for either escaped or wanted and/or persons lost or strayed.

B. Patrol Assistance: to assist the Sheriff of Bowie County when needed to patrol when the regulars are short handed.

C. This organization and the members thereof shall at all times be subject to call by the Sheriff of Bowie County.

D. It shall be the duty and responsibility of each reserve officer to respond to the Sheriff's request for assistance of manpower.

5. ADMINISTRATIVE GOALS

The goals are for the smooth and effective operation of the Bowie County Sheriff's Reserve

6. OPERATIONAL GOALS

Operational goals are for the maximum enforcement of the laws for the maximum protection of the lives and properties of the citizens of this county and to provide services for the same.

7. POLICY

The written guidelines for the carrying out of various functions of the Bowie County Sheriff Reserve and Bowie County Sheriff's Department.

8. PROCEDURES

Detailed instructions on carrying out a specific function.

BOWIE COUNTY SHERIFF'S DEPARTMENT

JOB DESCRIPTION

TITLE: Reserve Deputy Sheriff

DEPARTMENT: Sheriff's

REPORTS TO: Whom Directed

SCOPE AND RESPONSIBILITIES:

Performs general duty police work in the protection of life and property to the enforcement of laws and ordinances under the direction of the Sheriff.

SPECIFIC RESPONSIBILITIES

1. Shall be subject to call by the Sheriff.
2. To respond to the Sheriff's request for assistance.
3. To assist the Sheriff's Department:
 - A. Escaped or Wanted
 - B. Lost or Strayed
 - C. Assist with regular patrol duties
 - D. Transport prisoners in or out of County
 - E. Provide security services
4. Each reserve officer must work a minimum of twelve (12) hours per month.
5. Shall comply with job description of Deputy Sheriff. (found within this manual)

POSITION SPECIFICATIONS

1. Must be a U.S. Citizen
2. Must be a resident of Bowie County
3. Must be at least 21 years of age
4. Must have a High School Diploma or GED
5. Must be of good moral standings
6. Never been convicted of DWI
7. Never been convicted of any Drug Charges
8. Never been convicted of a felony offense
9. If in military, must have been honorably discharged.

SECTION ONE

ARTICLE 1

1. Active Members shall be admitted to membership under the following procedures:
 - A. Making application with the Sheriff.
 - B. Sheriff will have a background check done on applicant.
 - C. If applicant meets paragraph two of this article, and is certified with T.C.L.O.S.B., shall be accepted if there is a vacancy.
 - D. Those who meet paragraph two of this article, who are not certified with T.C.L.O.S.B., shall be put on hold until they can get certified.
 - E. All applicants must be approved by the Sheriff, Chief Deputy

2. Active Members shall be admitted to membership only if they meet the following requirements.
 1. Must be a US Citizen
 2. Must be a resident of Bowie County
 3. Must be at least 21 years of age
 4. Must have a High School Diploma or GED
 5. Must be of good moral standings.
 6. Never been convicted of DWI
 7. Never been convicted of any drug charges
 8. Never been convicted of any felonies
 9. Have a valid Texas Drivers License
 10. If in military, must have been honorably discharged

3. Membership in the Bowie County Reserve shall be primarily of the active class herein defined. Provided the membership shall not exceed twenty (20) members. Active members are hereby defined as those who attend regular meetings and engage regularly in the activities of the Sheriff reserve unit. Inactive Members are hereby defined as those who miss three (3) regular meetings and/or those who do not work at least twelve (12) hours each month.

4. Membership in the reserve may be revoked and members expelled for cause.
 1. Conduct unbecoming a gentleman of nature as to embarrass or discredit the Reserve and/or infraction of the policy and regulations of this Department.

ARTICLE 2

1. LEAVE OF ABSENCE

Any member of this organization may request a leave of absence. The request must be made in writing and submitted to the coordinator for his approval. At the time of the request for leave is submitted, the officer submitting the request will surrender his badge, ID card to the coordinator to place in the officers personnel jacket until return of duty. Under no circumstances shall any officer be allowed to retain their credentials or badge when not on active duty. Officers not submitting a letter requesting re-instatement on or a maximum of ten (10) days after the final date of the leave will be considered resigned and will be dropped from the reserve unit. If requesting officer is the coordinator, he should be made to understand that he will be replaced as the coordinator for the good of the department and upon return to active duty he will return as a deputy. Officers will not be eligible for more than one leave of absence in any twelve (12) month period.

2. EMERGENCY LEAVE (MEDICAL OR EMPLOYMENT)

- A. Medical leave for serious illness or operation which will require the officer to be inactive for a time greater than thirty days will be the discretion of the coordinator. He may grant extended time if the condition warrants. Each of these cases must be considered individually. It will be the discretion of the coordinator to let the member retain his credentials on medical leave.
- B. Employment leave would again be at the discretion of the coordinator. Normally a leave of this type should not exceed three (3) months. If granted the member should surrender his badge and ID card. This will be placed in his personnel file.
- C. If the requesting officer is the coordinator, upon his return he will no longer hold that position. He will only be a reserve deputy.
- D. Leave of absence of the coordinator will be approved by the Sheriff.

3. RE-INSTATEMENT OF ACTIVE MEMBERSHIP

- A. Members of the Active Reserve Unit who have resigned and were in good standing at the time of their separation, upon written request to the coordinator of the Bowie County Sheriff's Reserve will after hearing by the review board, and on their approval, be reinstated in the active reserve unit.
- B. If the person submitting a request for reinstatement has been separated for a period of one year or longer a records check will be made and placed in the individuals personnel jacket.
- C. The review board will consist of the Sheriff, Chief Deputy, and the Coordinator.

ARTICLE 3

1. MEETINGS

- A. There will be a regular General Meeting held on the second Monday night at seven (7) p.m. every month. Each member will be notified by letter of every meeting and special meetings.
- B. Any member that misses three (3) consecutive meetings will have to show cause to the coordinator as to why he is not present, or be deactivated and removed from the unit.
- C. The purpose of the meeting is to keep every officer up to date on Department changes, training, scheduling, discuss purchases and any other topic we need to cover.

SECTION TWO

ARTICLE 1

The reserve unit shall be a branch of the Sheriff's Department just as any other branch, division,

Patrol
Civil
Warrant
Investigation

The reserve is not nor shall it be considered as a separate or individual organization apart from the Sheriff's Department.

ARTICLE 2

DUTIES AND ACTIVITIES

1. The duties and activities of the Reserve unit shall be coordinated by the coordinator under the direction of the Sheriff. The coordinator will be elected each year at the February meeting by its members at large.
2. The coordinator will be responsible for assigning all normal assignments and each officer will be required to work such assignments as given him by the coordinator.
3. Reserves that are working regular patrol in a unit by themselves will be assigned their area by the shift supervisor. Reserves will be required to work regardless of what area they are assigned.

ARTICLE 3

LIABILITY OF ADMINISTRATOR

By state law and the resolution of the Bowie County Commissioners Court, the Sheriff is responsible for any and all actions of the Reserve Unit. In order to maintain compliance with these laws, the Sheriff has absolute veto power over the coordinator and or the majority of its members.

ARTICLE 4

REVENUE

The Sheriff's Reserve shall remain free from any financial burden on the county, therefore making it necessary for the reserves to generate its own revenues. Revenues, so generated, shall be held in a "Reserve Fund" with the County Treasurer. Checks will be issued by the county for payment of items listed in paragraph two of this section out of the Reserve Fund.

The Sheriff or Coordinator may enter into contracts, which would assist the Reserves in performing services to help to raise such revenues. Revenues received for the Reserves must go into the Reserve Fund. This fund shall be used for the purpose of obtaining equipment, maintenance of equipment and day to day operations. All equipment purchased through the Reserve Fund will become the property of the Bowie County Sheriff's Department. It shall be placed on inventory as such.

ARTICLE 5

CONTRACTS

Any and all members of the Reserve shall be prohibited from entering into a contract oral or written with anyone regarding law enforcement, police protection, or security in which they profit personally. All contracts entered into will be done by the Sheriff or the Coordinator.

ARTICLE 6

LIABILITY

The Sheriff's Reserve was organized for the purpose of aiding and assisting the Sheriff's Department in its duties throughout the county. Anytime the Sheriff deems the Reserve

Unit as a liability, instead of an asset, the Sheriff shall direct the Coordinator to issue a pay warrant, payable to Bowie County for the full amount which exists in the Reserve Fund at that time. The Sheriff shall turn these funds to the Bowie County Treasurer to be placed into the general fund. The Reserve Unit will at that time be disbanded. This section will be strictly adhered to in the effort to prevent misuse of funds.

ARTICLE 7

OFF DUTY AUTHORITY

When a reserve officer is not on active duty with the department he has only the authority vested by law in a citizen. ACTIVE DUTY is defined as checked 10:41 with documentation and supervision.

ARTICLE 8

OFF DUTY EMERGENCY

- A. When a reserve officer, while not on active duty, comes upon an emergency situation that requires police action, he will first notify the proper authorities. He will render whatever aid necessary, handle the situation until assistance arrives. On their arrival, he will identify himself and give them what information he has and offer further assistance if needed.
- B. A Reserve officer should not normally go to the scene of any incident, emergency, or investigation without being dispatched.
- C. Any time a Reserve officer takes any action in a case anywhere while not on duty with the department, he will report to his supervisor within twenty four (24) hours stating date, time, location, incident, and action taken.

ARTICLE 9

CARRYING AND USE OF FIREARMS

A reserve officer is authorized to wear or carry firearms only when on active duty.

- A. Active duty consists of any official function or activity which has been authorized by the Sheriff's Department.
- B. A reserve officer does not have the right to carry on his person a firearm at ANY OTHER time ...
- C. In order for a reserve officer to carry a firearm he must qualify with the weapon he carries once a year.

ARTICLE 10

Each member of the reserve will be issued one badge, one ID card, one veri-card, and a set of keys.

- A. The department will be notified immediately upon loss of any of the issued items and a full report will be made within twenty-four (24) hours in writing.
- B. No member of the Sheriff's Reserve will exhibit, show or use his badge and/or ID card to avoid payment of or admissions to avoid traffic summons or arrest or use in any manner to gain favors or privileges by reason of the reserve officer identifying himself in any manner as being a reserve member of the Bowie County Sheriff's Department.

ARTICLE 11

ADDRESSES AND PHONE NUMBERS

Reserve officers will keep their home and business addresses and home and business phone numbers current.

- A. On any change of address or phone number, the reserve officer will report the change within forty-eight (48) hours to the coordinator.
- B. Every reserve officer shall have a home phone.
- C. If the reserve officer is going to be out of town for more than one week he will notify the coordinator.

ARTICLE 12

PATROL VEHICLES

1. The Sheriff's Reserve has four (4) patrol vehicles primarily used by reserve officers. Two (2) of these vehicles shall be kept on the west end at the courthouse. Two (2) shall be kept on the east end at a location deemed by the coordinator. These vehicles are to be used when job assignments justify their use.
2. When a reserve officer uses a patrol vehicle the officers will check out the vehicle and fill out the check out form.

3. Officers shall not take it upon themselves to check out these vehicles for the purpose of patrolling unless otherwise directed. Officers wanting to patrol shall contact the supervisor or deputy on duty and ride with them.
4. Vehicles are to be returned at the end of your shift.

ARTICLE 13

CARE OF SHERIFF'S DEPARTMENT EQUIPMENT

Improper or negligent handling or willful damage to county or reserve property, fixed or mobile is prohibited.

- A. Property issued by the Bowie County Sheriff or Bowie County Reserve to reserve officers remain the property of the Bowie County Sheriff Department and upon resignation or termination from the unit, will be returned to the Sheriff's Department in clean serviceable condition within five (5) working days.

ARTICLE 14

COURT APPEARANCE

Reserve officers will appear in court on order and shall be appropriately dressed for all court and grand jury appearances.

ARTICLE 15

EMERGENCY EQUIPMENT AND RADIOS

1. A reserve officer is prohibited from having emergency lights and/or a siren on their personal vehicle.
2. If a reserve officer has a radio in his personal vehicle he is prohibited from using it unless in an emergency situation.

ARTICLE 16

TO GIVE NAME AND BADGE NUMBER

If a citizen is dissatisfied with the action taken by a reserve officer and requests his name, the officer will give his full name and badge number in a courteous manner. In the like same manner, he will obtain the name, address, and phone number of the dissatisfied party and verbally report the circumstance to his supervisor immediately and make written report to the sheriff within twenty-four (24) hours.

ARTICLE 17

OTHER POLICE WORK

If a reserve officer is hired as a special officer, night watchman, or any other similar function or activity pertaining to the field of law enforcement, he will report his activities to the department in writing as to the nature of his work. While so employed as a special officer the reserve deputy will not wear or have in his possession any part of his sheriff's department uniform, badge, ID card, or any other item that would identify the Reserve deputy as being a member of the Bowie County Sheriff's Department.

ARTICLE 18

STATEMENTS CONCERNING SHERIFF'S DEPARTMENT CASES

A reserve officer will make no written or oral statements or discuss any criminal or civil case concerning the Sheriff's Department or any other Sheriff or Police agency with which the Reserve officer worked both on or off duty without the personal permission of the Sheriff to make such statement or to enter into such discussion. This applies to phone calls where the Attorney's Staff and the Reserve officer does not know, from his knowledge, to whom he is talking.

ARTICLE 19

SUPERVISION WHILE ON ACTIVE DUTY

When a Reserve officer is working he must advise dispatch of his unit number, employee number, assignment. A Reserve officer must notify the shift supervisor of his assignment. A Reserve officer is under the direct supervision of the shift supervisor and must answer to him.

ARTICLE 20
TERMINATION

A Reserve officer will be terminated for not following any part of this General Manual or any other policy of the Bowie County Sheriff Department.

ARTICLE 21
POLICIES AND PROCEDURES

Within this manual are the policies and procedures for the Bowie County Sheriff's Reserve Unit. You should make note there are additional articles added for the Reserve Unit. Reserve Officers are charged with the responsibility of complying with all directives contained within this manual.

BOWIE COUNTY SHERIFF'S OFFICE
VEHICLE INSPECTION REPORT

<u>VEHICLE NUMBER</u>	<u>VEHICLE MILEAGE</u>	<u>DATE</u>	<u>TIME</u>
OIL	OK _____	LOW _____	
GAS	_____	_____	
WATER	_____	_____	
BATTERY	_____	_____	

NOTE ANY NEEDED REPAIR OR DAMAGE:

DEPUTY

SUPERVISOR COMMENTS AND/OR REPAIRS:

SUPERVISOR

DATE

ACKNOWLEDGMENT FORM

I have read and understand the written directives contained in the Bowie County Sheriff's Reserve general manual.

I understand the consequences for not following these directives.

Signed _____

Date _____

