PROCEDURE MANUAL
CHAPTER 1

1.00 ADMINISTRATIVE PROCEDURES

1.01 PURPOSE: To provide guidelines for conducting certain administrative activities within the Lubbock Police Department.

1.02 POLICY. The Lubbock Police Department conducts administrative procedures fairly, efficiently and according to appropriate local, state and federal requirements.

1.03 WRITTEN COMMUNICATIONS for the LPD include:

1.03.001 PROCEDURE MANUAL. LPD rules, policies and procedures, issued or authorized only by the Chief. Officers will keep their Procedure Manual current. Officers will not release any policy to the public unless required by law or authorized by the Chief or an Assistant Chief.

1.03.002 SPECIAL ORDERS may be issued by supervisors to direct subordinates to perform specific tasks. Detailed operating procedures for Divisions, Sections, Shifts, or Units are also Special Orders.

1.03.003 MEMOS communicate with City personnel. They may temporarily affect LPD rules, policies or procedures, especially the internal operations of Divisions, Shifts, Sections or Units.

1.03.004 LETTERS communicate with persons outside the City organization. All letters will be composed in accordance with City of Lubbock policy. Persons typing letters will keep copies on file for one year.

1.04 PERSONNEL PRACTICES

1.04.001 POLICY. The LPD bases personnel actions on either City of Lubbock policy or state and local Civil Service regulations, as applicable. Prohibitions, procedures or requirements included in those are incorporated into LPD policy, procedures and rules.

1.04.002 AUTHORITY TO DISCIPLINE. Any supervisor may write a letter of commendation, reprimand, or documented counseling to any subordinate

Effective 01/2014
employee. Supervisors not in an employee’s chain of command should confer with a supervisor in the chain before writing these.

1.04.003 CIVIL SERVICE APPEALS. Non-probationary officers may appeal personnel actions according to state and local Civil Service regulations.

1.04.004 GRIEVANCES AND APPEALS. Employees will file these according to the City of Lubbock policy.

1.04.005 WRITTEN RESPONSE TO INFORMATION IN PERSONNEL FILES. Officers may file a written response to negative information placed in their personnel files according to state and local Civil Service regulations.

1.05 ADMINISTRATIVE RECORDS/ INFORMATION

1.05.001 ATTENDANCE RECORDS. Section Commanders will ensure that attendance records are accurate.

1.05.002 ACTIVITY SUMMARIES identify and describe all significant LPD incidents. Shift Commanders will have summaries emailed to the Chief, Division and Section Commanders, and LPD Public Information Officer.

1.05.003 PERSONNEL RECORDS. LPD staff will not release any employee’s photograph, personal information, phone numbers, addresses, or lists of employees, etc., to persons outside the LPD without the Chief’s approval.

1.06 SALARY AND OTHER COMPENSATION

1.06.001 OVERTIME/ COMPENSATORY TIME. Employees may select overtime or compensatory time as specified in City policy. They will submit proper documentation for supervisory review by midnight Friday of the week the time was earned. The LPD will consider exceptions case by case.

The LPD will compensate staff for a minimum of two hours for required attendance at any duty related court function unless the attendance includes regular duty time or other overtime.

The LPD will not compensate staff for local travel to and from duty assignments. The LPD will compensate staff for extended travel time to and from out-of-town assignments by adjusting the work week at straight time for less than 40-hour assignments, or by overtime or compensatory time for more than 40-hour assignments.

Effective 01/2014
1.06.002 **WITNESS FEES.** Employees will not accept fees for court appearances when the City compensates them. Employees will submit fees received to the Chief's administrative assistant for deposit in the General Fund.

1.06.003 **TEMPORARY ASSIGNMENT IN HIGHER CLASSIFICATION.** The Chief may approve officers in the next lower classification to temporarily perform the duties of a higher classified officer at the base pay rate for the higher classification. Eligibility for assignment pay is based on the actual performance of specific duties, not merely the absence of a higher classified officer. Service time will be figured to the nearest hour.

1.07 **OUT-OF-TOWN TRAVEL ARRANGEMENTS.** Employees will submit a travel authorization and any required paperwork to their supervisor at least 30 days before departure when possible. Travel arrangements must be made as far in advance as possible and according to City travel policy.

1.08 **RECEIPTS.** Employees will use appropriate forms to record money received in relation to their duties and will process funds according to LPD or City policy.

1.09 **PAID LEAVE** is administered according to City policy.

1.09.001 **SICK LEAVE COMPUTATION.** Duty days are divided into two-hour segments. Employees present for any part of a two-hour segment get credit for working the entire segment.

1.09.002 **INJURY LEAVE.** Shift or Section Commanders will have injuries reported to Risk Management within 24 hours. They will report officers returning to duty from injury leave and submit any required documentation.

1.10 **TEMPORARY LIMITED DUTY.** The LPD follows City policy for temporary limited duty.

1.10.001 **PURPOSE:** To further explain City policy for temporary limited duty positions and assign responsibilities under that policy.

1.10.002 **POSITIONS**

A. There are a limited number and variety of positions in the LPD suitable for limited duty. Employees injured on duty get preference for these. Assignments may change at any time with doctor's approval when best for the LPD or employee.

Effective 01/2014
B. The LPD will not make new positions or designate existing positions exclusively for limited duty. Assignments to other City departments may be necessary if no limited duty positions are available in the LPD.

1.10.003 GENERAL PROVISIONS

A. Immediate Supervisors of LPD employees on injury or sick leave will call the employees weekly to check their condition and progress. They will update their chain of command on employees’ condition.

B. LPD employees on injury or sick leave will stay available for their supervisors’ calls. They will inform supervisors of their condition, progress and doctor’s appointments.

C. Supervisors should suggest employees on injury leave return to full or limited duty as soon as they believe an employee’s condition has improved enough for doctors to approve.

D. No one may return to full or limited duty unless approved by their doctor on a Texas Workers’ Compensation Work Status Report showing the employee’s work restrictions. This form is required even if the injury or illness is not covered under Workers’ Compensation.

E. Limited duty is restricted to 180 days. Assistant Chiefs may approve up to 90 days. City Manager approval is required for extensions.

F. Officers on limited duty will not wear their LPD uniform. They will not openly display their badge and handgun unless approved by their Assistant Chief. Officers should avoid any enforcement action unrelated to their limited duty positions unless immediately necessary to protect themselves or others from death or serious injury.

1.10.004 INJURY LEAVE

A. Employees injured on duty should get Texas Workers’ Compensation Work Status Reports from their doctor after each visit. Employees will send copies to their immediate supervisor within one day of the visit.

B. Supervisors will tell their chain of command when they get Work Status Reports showing employees may return to work, with restrictions, on a certain date.

C. The employee’s Assistant Chief will identify any limited duty positions available in the LPD and inform supervisors of the assignment.

Effective 01/2014
D. The immediate supervisor will complete the “Workers’ Compensation Limited Duty Offer” according to instructions available from the Risk Management Coordinator and make the offer to the employee.

1.10.005 REQUESTS FOR LIMITED DUTY

A. Employees not injured on duty may request limited duty assignments through their immediate supervisor. They will ask their supervisor for a Texas Workers’ Compensation Work Status Report and job descriptions for any available limited duty positions.

B. Supervisors will send these requests through their chain of command.

C. The employees’ Assistant Chief will identify any limited duty positions available in the LPD or, if none are available, will ask Human Resources to identify positions available in other City departments. The Assistant Chief will ask for job descriptions for those positions and send this information to the employee through their supervisor.

D. Employees should take this information to their doctor and ask for approval, indicated by a completed Work Status Report, to return to limited duty. If approved, employees will give completed Work Status Reports to their supervisor who will send them to their Assistant Chief for final approval and assignment.

1.11 ASSISTING OTHER AGENCIES. The LPD recognizes the need to assist other agencies outside the City limits in certain situations. The LPD will consider these requests and may authorize personnel to respond if the assistance will not hinder LPD operations.

1.11.001 OPERATIONS. Only the Chief, Assistant Chiefs, or Shift Commanders may authorize sending officers to assist other law enforcement agencies outside the City limits. An LPD supervisor will accompany officers. Officers will follow LPD chain of command, policies and procedures.

1.11.002 SITUATION CONTROL. Officers may assist and support according to direction from the requesting agency. LPD will assume control only when a requesting agency asks and an LPD Commander authorizes.

1.11.003 AID DISCONTINUED. LPD assistance will end when it is no longer needed; when officers are more urgently needed elsewhere; or when the requesting agency violates or compromises LPD policies, procedures or orders. The on-scene LPD supervisor may discontinue aid if the supervisor believes decisions by the requesting agency unnecessarily create a dangerous situation.

Effective 01/2014
1.12 TRAINING. The LPD recognizes the complexities officers face with procedures, rules, tactics, statutory and case law. The citizens of Lubbock expect, and deserve, professional officers trained to deal with those complexities. The LPD supports its officers and the citizens of Lubbock by providing necessary training. The LPD complies with and, when possible, exceeds minimum training requirements.

1.12.001 ACADEMY STAFF will send notices of outside training opportunities to the appropriate Assistant Chiefs and Command Staff. Academy Staff will keep them informed of their officers' compliance with required training.

1.12.002 SHIFT OR SECTION COMMANDERS should notify the Academy before their officers attend training not coordinated through the Academy.

1.12.003 TRAINING CERTIFICATES. Officers will send copies of these to the Academy not more than two weeks after any training not conducted at the Academy. TCOLE will not accept training reports more than 30 days after the training.

1.12.004 ATTENDANCE. Officers will notify their supervisors and Academy staff when they cannot attend assigned training. Supervisors will confirm this with Academy staff as soon as possible.

1.13 ASSIGNMENT/TRANSFER/Rotation process

1.13.001 PURPOSE: To set guidelines for assignments, transfers and rotation.

1.13.002 POLICY. Rotating assignments provides the LPD with officers experienced in various areas and increases opportunities for career development. Assignments and transfers are based on LPD needs, division needs, management preference, officer needs, officer work record and seniority. Section Commanders must have the Chief's approval before making any selection. The Chief may assign or transfer personnel at his discretion.

1.13.003 ROTATION. This policy does not apply to Patrol Shifts, K9, Motor Units, Polygraph Operators, Special Operations Section, or supervisors. All Special Operations officers must rotate to a patrol shift after five (5) years.

1.13.004 ROTATED POSITIONS. Each affected section or unit will rotate 60% of its positions. Officers in these positions will rotate to a patrol shift after five (5) years.

Effective 01/2014
1.13.005 CORE POSITIONS. The remaining 40% of an affected section or unit are core positions. Section commanders will annually appoint these core positions based on job performance, management preference, and productivity.

1.13.006 ROTATION DATES. Officers rotating out of assignments will participate in the Draft Day closest to the end of their assignment.

1.13.007 STAGGERED ROTATION. The Chief and Assistant Chiefs may alter rotation schedules if rotating multiple positions would adversely affect operations. They should follow the first in, first out, practice.

1.13.008 FILLING ROTATED POSITIONS. Section Commanders will fill these according to this policy. They will post openings no later than December 1 and make recommendations for selection before January 14 the next year.

1.13.009 SECTION/UNIT ASSIGNMENTS. The Chief and Assistant Chiefs may fill positions at any time. Section Commanders will post openings for 14 days on bulletin boards in Patrol Briefing, Investigations Sections, Training, and Administration. Section Commanders may set minimum certification, training or experience requirements for applicants.

1.13.010 APPLICATION FOR TRANSFER. Officers who are interested in posted positions and eligible according to policy, will submit a completed Application for Transfer packet to their immediate supervisor. Officers will complete an application packet for each position for which they apply.

Supervisors will complete their part of the packet and forward it through their chain of command to the appropriate Section Commander.

1.13.011 INTERVIEW PANEL. The interview panel will interview all eligible applicants. The Section Commander with the open position(s) will appoint an interview panel comprised of:

A. The Captain or Lieutenant for the section with the open position;

B. The immediate supervisor for the open position;

C. An Officer or Corporal from that section;

D. A Lieutenant from a non-related division; and

E. A Sergeant from a non-related division.

1.13.012 ELIGIBILITY LIST. The Panel will rank applicants on an eligibility list based on the combined scores of the application packet and interview.

Effective 01/2014
Seniority in rank breaks ties. Section Commanders will recommend officers with the highest scores to the Chief and the section’s Assistant Chief for selection. The list is valid for 90 days.

1.13.013 **APPLICANT REVIEW.** If requested, Section Commanders will review the results with applicants not recommended for selection to identify areas for improvement. The applicant may not view other applicant’s results.

1.13.014 **HARDSHIP TRANSFERS.** Employees may request temporary transfers through their chain of command to better cope with serious personal situations beyond their control. The Chief will consider each case according to the situation, fairness to others, and any impact on LPD operations. Employees must renew requests every 90 days.

1.13.015 **ANCILLARY ASSIGNMENTS.** Commanders in charge of assignments such as SWAT, FTO, CSO, Mounted Unit, etc., will determine the requirements and selection process for those. They will use a process that is fair to all involved and should identify those most qualified.

1.13.016 **OUTSIDE INTERVENTION.** Employees will not request, nor knowingly allow, anyone to intervene to change their personnel status or work assignment.

1.14 **DRAFT DAY**

1.14.001 **PURPOSE:** To provide Officers and Corporals opportunities for certain transfers by an equitable process recognizing seniority and performance.

1.14.002 **POLICY.** Officers and Corporals eligible according to policy may request transfer into open positions. Requests are considered based on officer preference according to seniority. The Chief may assign or transfer personnel at his discretion.

1.14.003 **INELIGIBLE OFFICERS.** Sergeants will notify their chain of command before January 14 of officers who are ineligible or whose positions are involuntarily opened according to policy. Officers or Corporals involuntarily transferred from a position are ineligible for Draft Day until they receive two consecutive Overall Acceptable ratings.

1.14.004 **OPEN POSITIONS.** The Chief and Assistant Chiefs will determine which positions are open for Draft Day. Positions in K-9, Traffic Section, Investigations and Administration are exempt.

Effective 01/2014
The assigned Patrol Lieutenant will have openings posted by 1700 hours, January 15 on bulletin boards in Patrol Briefing, Investigations Sections, Training, and Administration.

If the 15th falls on a Saturday or Sunday, openings will be posted the following Monday.

1.14.005 EXEMPT POSITIONS. Officers in these positions who want to draft out will notify their chain of command before December 1.

1.14.006 DRAFT DAY. The assigned Patrol Lieutenant will set draft day for the last week in January. This Lieutenant will match each eligible officer’s preferences to open positions according to seniority.

1.14.007 RESULTS. The assigned Patrol Lieutenant will have the results posted on the same bulletin boards as in Section 1.14.004.

1.14.008 TRANSFERS are effective the first pay period in February.

1.15 INTERNAL AFFAIRS

1.15.001 PURPOSE: To set guidelines for investigating allegations of misconduct made against LPD employees.

1.15.002 POLICY. The LPD will promptly and thoroughly investigate allegations of misconduct made against its employees. It will encourage voluntary, uniform compliance with LPD policies, procedures and rules. It will emphasize determining the causes of unprofessional behavior and identifying ways to improve that behavior.

1.15.003 CONFIDENTIALITY. Confidentiality protects against civil liability, privacy invasion, constitutional rights violations and jeopardizing criminal investigations. All records and conversations relating to any internal investigation or LPD personnel matter are confidential. Staff will not disclose them to anyone except when required by law or the Chief or Internal Affairs Supervisor authorizes. This does not prevent an officer from asking for, or a supervisor from giving, advice in these situations.

1.15.004 ADMINISTRATIVE LEAVE. The Chief, or highest-ranking on-duty supervisor, may place an employee on administrative leave if allowing an employee to remain on duty would not be in the LPD’s best interest.

1.15.005 INVESTIGATIVE DUTIES. Internal Affairs will:

Effective 01/2014
A. Conduct administrative investigations as the Chief directs to document facts of an incident involving alleged, or suspected, misconduct.

B. Refer informal complaints to the appropriate supervisor.

C. Investigate officer involved shootings or firearms discharges independent of any related criminal investigations.

D. Complete and send to the Attorney General, Custodial Death Reports within 30 days, and supplemental information within 60 days, on any person dying in LPD custody. A person is considered in custody if an officer, by word or action, indicates they are attempting to arrest, even if the person is not in actual custody.

E. Not investigate criminal allegations. Internal Affairs investigators will notify their chain of command if an investigation indicates possible criminal violations. The Chief may refer the criminal investigation to the appropriate section Commander. Internal Affairs may investigate misconduct independent of any related criminal investigations.

F. Not investigate disagreements over guilt or innocence regarding criminal or traffic charges unless misconduct is specifically alleged.

G. Not accept complaints reported more than 30 days after the alleged incident unless they involve criminal violations within the statute of limitation or there is good cause for the delay.

H. Investigate all alleged misconduct that could result in disciplinary action above a written reprimand.

1.15.006 **COMPLAINT PROCESS**. Complaints are DEPARTMENTAL, FORMAL or INFORMAL. Supervisors will send all formal complaints, including those alleging criminal violations, to Internal Affairs.

A. **DEPARTMENTAL COMPLAINTS**:

   1. Originate within the LPD;

   2. May originate from informal complaints;

   3. Do not require personal knowledge of the facts; and

   4. May be reported directly to Internal Affairs.

Internal Affairs may investigate them as formal complaints even if they do not meet formal complaint criteria.

Effective 01/2014
B. FORMAL COMPLAINTS:

1. Are made to Internal Affairs in writing, with a sworn statement;

2. Appear on their face that the complainant has personal knowledge of the facts alleged, unless the complaint is departmental; and

3. Alleged specific misconduct that could result in disciplinary action.

1.15.007 FORMAL COMPLAINT PROCESS

A. INTERNAL AFFAIRS will:

1. Take the complainant’s sworn statement and prepare a complaint form that the complainant signs;

2. Notify the Chief, or an Assistant Chief, who may approve or deny an investigation;

3. Notify the employee’s Assistant Chief of approved investigation;

4. Notify the employee and arrange an interview;

5. Give the employee a signed Notification of Internal Affairs Complaint memo and a signed copy of any statement alleging misconduct;

6. Allow the employee to review the complaint;

7. Give the employee a signed, written order, including the Garrity warning, for the employee to respond with a sworn statement;

8. Conduct a thorough investigation;

9. Complete all required entries in the Internal Affairs computer record system; and

10. Forward the electronic file and supporting evidence to the Chief.

B. SUPERVISOR’S REVIEW. The Chief should send all documentation to the employee’s Assistant Chief to recommend classification and discipline. The Assistant Chief should include an employee’s supervisors in the recommendation process. The Assistant Chief will return all documentation and recommendations to Internal Affairs.

Effective 01/2014
C. **COMPLAINT CLASSIFICATION.** The Chief will review all recommendations, classify the complaint and determine disciplinary action. Complaint classifications are:

1. Unfounded – the allegation is false or not factual;
2. Exonerated – the incident occurred but without misconduct;
3. Not Sustained – there is insufficient evidence to prove or disprove the allegation; or
4. Sustained – the allegation is supported by sufficient evidence.

D. **NOTIFICATIONS.** The Chief, or appropriate supervisor, will notify the employee of the results, give the employee any disciplinary papers and file copies appropriately.

Internal Affairs will update their computer record system with the results and add documents as appropriate.

E. **OFFICER’S RIGHTS.** Officers have these rights during investigations:

1. To have an attorney present only at interviews for criminal investigations;
2. To receive the Miranda warning during a criminal investigation;
3. To refuse a polygraph test only when accused of criminal violations or when the order does not comply with Texas Government Code Section 614.063;
4. To request, and receive, a polygraph test; and
5. To protect their private property from warrantless searches.

F. **OFFICER’S OBLIGATIONS.** The Chief may discipline officers, up to and including indefinite suspension, for failure or refusal to meet these obligations during complaint investigations:

1. To submit to warrantless searches of City property such as vehicles, desks, lockers and computer files, etc., which are subject to inspection at all times without notice;
2. To participate in lineups conducted without probable cause during non-criminal investigations; and

Effective 01/2014
3. To truthfully answer questions, give truthful, complete statements and comply with proper orders.

1.15.008 INFORMAL COMPLAINT PROCESS

A. INFORMAL COMPLAINTS do not:

1. Require personal knowledge;
2. Allege specific misconduct; or
3. Require written, sworn statements to Internal Affairs.

Most people bringing informal complaints only want the officer’s supervisor to know of the situation and discuss it with the officer. Supervisors should not refer informal complaints to Internal Affairs but to the officer’s chain of command when possible.

B. EMPLOYEES taking complaint calls will:

1. Identify the officer the complaint is against;
2. Take the complainant’s name and phone number;
3. Assure the complainant they will notify the officer’s supervisor;
4. Explain delays due to shift or days off assignments; and
5. Email the complaint information to the officer’s supervisor and Shift or Section Commander.

C. SUPERVISORS getting complaints on their officers will:

1. Contact complainant as soon as possible;
2. Identify the complaints as informal or formal, and try to resolve informal complaints;
3. Meet with the officer, identify any problems related to the complaint and take appropriate action; and
4. Complete a Complaint Form and e-mail it to their chain of command. They may also require an officer’s written response.

Effective 01/2014
D. ASSISTANT CHIEFS will review Complaint Forms and e-mail them to Internal Affairs for entry into the Internal Affairs computer record system. Internal Affairs will store informal complaints for two years.

E. INTERNAL AFFAIRS SUPERVISORS taking informal complaints by phone will try to resolve them and enter them in the computer record system. They will forward the electronic file to the officer’s chain of command with an email notice of the complaint.

F. SUPERVISORS getting electronic files of informal complaints from Internal Affairs will follow C (2) and make comments on the routing.

1.15.009 CITIZEN COMMENDATIONS AND COMPLAINTS. These forms are available at the front desk or on the LPD website. Desk staff will provide these forms to citizens upon request. Staff receiving completed forms will send them to Internal Affairs. Website entries go directly to Internal Affairs. Internal Affairs will have commendations placed in the officer’s personnel file and the Internal Affairs computer record system. They will process complaints according to this policy. They will email notice of both to the Chief and the officer’s chain of command.

1.16 RACIAL PROFILING

1.16.001 PURPOSE: To confirm the LPD’s commitment to unbiased policing in all contacts between officers and any person; to reinforce procedures that ensure public confidence and mutual trust by providing services equitably; and to protect LPD officers from unwarranted accusations of misconduct when they act according to LPD policy and the law.

1.16.002 POLICY: The LPD is proactive and thoroughly investigates suspected violations of law. The LPD believes racial profiling is unacceptable and requires its officers to enforce laws responsibly and professionally, without regard to race, ethnicity or national origin. This policy applies to all drivers, passengers and pedestrians.

This policy does not prevent officers from offering help when it appears needed. It does not prohibit stopping suspects based upon observed actions and/or information received about the person.

1.16.003 RACIAL PROFILING is any law enforcement-initiated action based on a person’s race, ethnicity or national origin rather than on the person’s behavior or on information identifying the person as having engaged in criminal activity. Racial profiling pertains to suspects or potential suspects, not to witnesses, complainants or others.

Effective 01/2014
Examples of racial profiling include but are not limited to:

A. Detaining a vehicle driver because of the belief that a person of their race, ethnicity or national origin is unlikely to own that make or model vehicle; or

B. Detaining a person because of the belief that people of their race ethnicity or national origin do not belong in a particular area.

These examples of racial profiling do not prevent the LPD from applying the broader definition to actual situations.

1.16.004 PROHIBITED. Officers will not engage in racial profiling as prohibited by policy or law.

1.16.005 COMPLAINT PROCESS. Persons who believe officers have used racial profiling against them may file complaints according to Internal Affairs policy. Upon officers’ written requests, Internal Affairs will give copies of any video or audio recordings of incidents to officers accused of racial profiling. Supervisors will take appropriate corrective action for any policy violations.

1.16.006 PUBLIC EDUCATION. The LPD will educate the public on our complaint process through appropriate public forums and the LPD internet web site.

1.16.007 INFORMATION COLLECTION and REPORTING. Officers will collect information required on citations for traffic violations or arrests resulting from traffic stops. This information includes the race or ethnicity of detained persons, whether officers conducted searches, whether detained persons consented to the search, and whether the officer knew the race or ethnicity of the individual before detaining the individual.

By March of each year, the Chief will report the information collected above, except for information identifying officers or detained persons, to TCOLE and to the City Council.

1.16.008 MVR REVIEW and RETENTION. Supervisors will review recordings according to LPD Policy. The recordings will be kept for six months unless they are evidence in criminal or administrative investigations, in which case they will be kept according to law or policy.

1.16.009 EXEMPTION. The LPD is exempt from other data collection and reporting requirements under the Code of Criminal Procedure because:

A. Most LPD vehicles regularly used to make traffic and pedestrian stops are equipped with MVRs or audio recorders;

Effective 01/2014
B. Each traffic and pedestrian stop that can be recorded is recorded; and

C. The City Council asked the Texas Department of Public Safety for funds to equip the remainder.

1.17 EFFICIENCY REPORTS

1.17.001 PURPOSE: To enhance individual performance by identifying and understanding expectations and standards. The reports are comprehensive, semi-annual reviews considering aspects of law enforcement. They are intended to improve communication between supervisors and subordinates, and identify needs in self-improvement, training and procedures. The process emphasizes supervisors’ roles to ensure officers meet acceptable performance standards. Reports may also document the basis for personnel decisions.

1.17.002 POLICY. The LPD considers certain characteristics and skills critical to the law enforcement profession. Immediate supervisors evaluate all officers below the rank of Assistant Chief. Supervisors are evaluated on the accuracy of the efficiency reports they submit.

Officers routinely encounter wide ranges of personalities and cultures. They must effectively relate with each person they encounter to provide exceptional service. Officers’ ability to improvise and adjust to any situation is imperative.

Officers must be highly reliable, welcome responsibility and dedicated to completing assignments. Commitment to work schedules and strict adherence to policies are prerequisites to fulfilling LPD goals.

Officers depend on their equipment. They must use all types skillfully and properly maintain it. Quality officers recognize the importance of all equipment and how it affects safety, efficiency and productivity.

Officers frequently face potentially hazardous situations. They must recognize threatening circumstances as they develop. They should also be aware of safety guidelines and techniques.

Officers are professionals who operate under the strictest legal and ethical codes. They must consider how their image, integrity and regard for others reflect on the law enforcement profession. Officers who take pride in themselves inspire others to have confidence in the profession.

Effective 01/2014
Officers must produce detailed and accurate records of all types to communicate their activities and facilitate others. Completing timely, legible, organized documents is essential to the LPD mission.

Officers are expected to develop a sound, proactive work ethic. They must use their time well and be responsible for assigned duties, whether working independently or on a team.

Officers regularly conduct investigations. They must be attentive to detail, competently find facts, interview witnesses, properly handle evidence, and properly document stages of investigations.

Officers are granted tremendous authority over the rights of others. In exercising that authority, they must obtain and analyze all relevant information, weigh alternatives before making decisions, and apply common sense in the process.

Officers have leadership roles. They must display confidence and self-control. Impartiality is essential when providing guidance and enforcing standards.

1.17.003 FORMS. Appropriate persons must sign each form.

A. KEY INCIDENT JOURNAL. An officer’s immediate supervisor will use this form to document observed examples of positive or negative performance. Supervisors will not submit these forms to the Chief’s office or Human Resources but will keep them in Division files.

When officers transfer during a report period, supervisors will send their Key Incident Journals to the new supervisors. Officers may keep a form for their own work activities and submit it to their supervisor.

B. SUPERVISOR’S REPORT. An officer’s immediate supervisor will complete this report to assess the officer’s overall performance. Supervisors will use information from the Key Incident Journal to support all ratings but Average. Supervisors will only use references to the Key Incident Journal on the Supervisor’s Report, not positive or negative comments. Supervisors will put positive or negative comments only on the Key Incident Journal.

C. ENHANCEMENT ACTIVITIES. Supervisors will use this section to identify specific actions to improve future efficiency reports for officers earning Needs Improvement or Unsatisfactory ratings. They will discuss these actions with those officers during the Report Review Conference. They will not submit these forms to the Chief’s office or Human Resources but will keep them in Division files.

Effective 01/2014
1.17.004 PERFORMANCE LEVELS

A. JOB FACTOR PERFORMANCE LEVELS are Unsatisfactory, Needs Improvement, Average and Above Average. An officer earning a Needs Improvement or Unsatisfactory rating in any Job Factor who does not improve to an Average rating in that factor the next reporting period will earn an Unsatisfactory rating.

B. OVERALL PERFORMANCE LEVELS are Acceptable and Unacceptable. Officers will earn Acceptable ratings unless:

1. Two or more factors are Unsatisfactory in a single report period;
2. Three or more factors are Needs Improvement in a single report period;
3. Three or more factors are any combination of Unsatisfactory or Needs Improvement in a single report period; or
4. They fail to earn an Average rating on any factor rated Needs Improvement or Unsatisfactory on the previous report.

1.17.005 REPORT PERIODS

A. PROBATIONARY OFFICERS: Report periods begin when officers complete their FTO program and are due the next regular due date.

B. OFFICERS/ CORPORALS: January 1 through June 30 with reports due July 14, and July 1 through December 31 with reports due January 14.

C. SERGEANTS: February 1 through July 31 with reports due August 14, and August 1 through January 31 with reports due February 14.

D. LIEUTENANTS: March 1 through August 31 with reports due September 14, and September 1 through February 28 with reports due March 14.

E. CAPTAINS: April 1 through September 30 with reports due October 14, and October 1 through March 31 with reports due April 14.

1.17.006 REPORT REVIEW CONFERENCE. Supervisors will review each officer’s report with them after it is reviewed by the next level supervisor. The next level supervisor is also responsible for the report’s accuracy.

Effective 01/2014
1.17.007 PERFORMANCE RECOGNITION

A. OVERALL ACCEPTABLE. Officers earning overall Acceptable ratings are eligible for Draft Day and other assignments. Supervisors will consider reports during selections.

B. OVERALL UNACCEPTABLE. Officers earning an overall Unacceptable rating for one report period during a calendar year will not be eligible for the following Draft Day or other assignments. Officers earning two consecutive overall Unacceptable ratings will have the last choice of positions on Draft Day.

1.18 RECOGNITION AWARDS

1.18.001 PURPOSE: To establish a mechanism for recognizing and rewarding officers or citizens for exemplary service and accomplishments.

1.18.002 PROCEDURE. Any officer may nominate another for an award using the nomination form. They will forward the completed form through their chain of command to the Administration Assistant Chief for Awards Approval Board review.

The Administration Assistant Chief will appoint two officers to the Board from each Division for two-year terms, staggered so terms do not expire together. One member from each Division will be an Officer or Corporal, the other a Sergeant or above. The Assistant Chief will chair the Board, voting only to break a tie vote. The Board will meet quarterly and review all current nominations.

1.18.003 AWARDS

A. POLICE CROSS – a medal awarded posthumously to the officer’s nearest living relative when an officer dies in the line of duty under honorable conditions.

B. MEDAL OF VALOR – a medal and ribbon bar awarded to officers who voluntarily distinguish themselves conspicuously by courage and extraordinary heroism. The act must exceed normal demands with officers fully aware of the imminent threat to their personal safety, yet still act above and beyond the call of duty, risking their lives.

C. DISTINGUISHED SERVICE – a ribbon bar awarded to officers who distinguish themselves and the LPD by continuous exemplary conduct, exceeding normal demands required or expected while performing their duties.

Effective 01/2014
D. **LIFE SAVING** – a ribbon bar awarded to officers whose prompt actions prevent a person’s immediate death.

E. **MARKSMANSHIP** – a ribbon bar awarded without Board review to officers who score at least 95 on the LPD handgun qualification course for two consecutive semi-annual qualifications. Officers who score less than 95 on two consecutive qualifications will lose this award.

F. **GOOD CITIZEN** – an award presented to a citizen whose actions went above and beyond the norm in order to assist the LPD or others.

Officers earning more than one Medal of Valor, Distinguished Service or Life Saving award will receive a star for their ribbon bar.

1.19 **BUILDING SECURITY AND ACCESS**

1.19.001 **PURPOSE:** To give guidelines for keeping LPD buildings secure while allowing adequate access for staff and visitors.

1.19.002 **POLICY.** The LPD recognizes it is a public entity and deals with the public daily. The LPD will balance the needs of the public for access to department operations, the need to protect investigations, evidence and LPD staff by controlling access.

1.19.003 **SECURE AREAS** are those with access controlled by access cards, keys or combination locks.

1.19.004 **ACCESS AUTHORIZATION.** Assistant Chiefs will determine who has access to areas in their division. Staff will send requests for changes in access through their chain of command to the appropriate Assistant Chief.

1.19.005 **KEY CONTROL.** Assistant Chiefs will keep master keys for their areas and the Administration Assistant Chief will keep master keys for all police buildings. Staff will send requests for duplicate keys through their chain of command to the appropriate Assistant Chief.

1.19.006 **ACCESS CARDS**

A. **LPD STAFF CARDS.** The Administration Division will issue and maintain individual LPD staff cards reflecting access authorized by Assistant Chiefs. It will monitor card use and report any irregularities to the appropriate Assistant Chief.
B. **OTHER CITY STAFF CARDS.** The Administration Division will issue and maintain individual cards for certain City staff as authorized by the Chief. It will monitor and report any irregularities to the Chief.

City staff not authorized for individual cards will use visitor cards or Emergency Operations Center (EOC) ID cards.

C. **VISITOR CARDS.** Desk personnel will issue visitor cards to City staff without individual or EOC cards, service or repair personnel and District Attorney staff.

D. **DISPLAYING CARDS.** All non-uniformed staff and visitors must wear access cards, ID cards or law enforcement badges where they can be seen while the persons are inside LPD buildings.

LPD staff should escort unfamiliar persons not wearing identification or not with LPD staff to the Desk Sergeant. Civilian staff may notify an officer instead of confronting someone themselves.

E. **LOST CARDS.** Staff will notify their supervisor and the Administration Division immediately if they lose their access cards.

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**LPD BUILDINGS**

**ACCESS généralement.** LPD staff may allow other LPD staff, authorized City staff with individual access cards, and properly identified law enforcement officers to enter any secure area in the LPD complex. All others must enter through the front desk area.

**LPD STAFF ACCESS** is controlled with picture identification access cards, keys or combination locks that allow access to areas depending on assignment and need.

1. LPD staff will only enter common areas open for all employees or locked areas to which they have access with card, keys or combinations issued specifically to them.

2. LPD staff will not ask others to open locked areas for them if they cannot enter using their own access devices.

3. LPD staff will only open locked areas for others who cannot enter using their own access devices if they know the employee asking for access is authorized.

4. LPD staff will not allow others to use or duplicate their keys or cards.

Effective 01/2014
C. VISITOR ACCESS. Desk personnel will have City staff without individual or EOC cards, service or repair personnel, and District Attorney staff leave a picture ID. Desk personnel will return these IDs when the visitor leaves the building and returns their visitor card. If these visitors do not have picture IDs, they may ask Desk personnel to call an LPD employee who can identify them. LPD staff called to identify visitors will come to the desk for the identification.

D. DURING EOC ACTIVATION

E. OTHERS. Victims, witnesses, suspects, complainants, their family or friends, media, and visitors in general may not enter secured areas without LPD staff. They may use the house phone in the lobby to call staff they need to see. Desk personnel may help them with the number.

Staff will meet visitors in the lobby and escort them. They should take as few visitors as possible into secured areas at one time. They should explain this when making appointments and discourage large groups and small children.
PROCEDURE MANUAL

CHAPTER 2

2.00 ARREST, SEARCH & SEIZURE

2.01 PURPOSE: To provide guidelines for making arrests, searches and seizures.

2.02 POLICY. The United States Constitution, Texas Constitution and Texas Code of Criminal Procedure (CCP) provide guidelines and statutory requirements for arrests, searches and seizures. LPD officers will follow these guidelines and requirements. Officers will make arrests, searches and seizures only as authorized in the CCP and this chapter. They will ensure all arrests, searches and seizures are reasonable. Officers will not base decisions to arrest or search persons, or seize property, only on the race, ethnicity, gender, religion or other arbitrary classification of persons.

2.03 PROBABLE CAUSE is the total set of apparent facts and circumstances, based on reasonably trustworthy information, which would warrant a reasonably intelligent and prudent person, in the position of and with the knowledge of the particular peace officer, to believe something. Probable cause is having more evidence for than against; more than mere suspicion but less than actual proof.

Probable cause for arrest exists when facts and circumstances known to the officer would warrant a prudent person in believing an offense has been committed and a particular person committed it. The evidence needed to find probable cause is less than that needed to prove guilt.

Probable cause for search exists when facts and circumstances known to the officer would warrant a prudent person in believing property subject to seizure may be found in a particular place.

2.03.001 PROBABLE CAUSE REQUIRED. Officers must have probable cause for all arrests or searches.

2.03.002 DEVELOPING PROBABLE CAUSE. Officers may use the following to develop probable cause:

A. TRAINING, SKILLS, and EXPERIENCE; and

Effective 01/2014
B. LAWFULLY ACQUIRED INFORMATION, whether admissible at trial or not.

1. VICTIM or WITNESS INFORMATION. If reasonable, officers will try to verify this information and the person’s credibility before acting on the information, especially before arresting without a warrant.

2. INFORMANT INFORMATION. When officers use informant information, they should be sure the information is highly detailed and verify as many of the details as possible before acting on it. Officers should document how often the informant has given accurate information and how current the information is.

2.03.003 DOCUMENTING PROBABLE CAUSE. Officers will include all elements of probable cause leading to arrests or searches in their reports or affidavits for warrants. Elements not included may not be used later to justify an arrest or search. Supervisors will closely review all reports or affidavits for adequate probable cause. They will take appropriate action to correct deficiencies.

2.03.004 PROBABLE CAUSE USED TO DEVELOP OTHER PROBABLE CAUSE. Officers may stop or arrest someone with probable cause and use the stop or arrest as an opportunity to develop probable cause for other charges. For example, officers may stop a suspected drug dealer with probable cause to believe a traffic violation has occurred and then develop probable cause or consent to search for drugs.

2.04 CITIZEN CONTACTS. Many citizen contacts involve potential conflict unless officers handle them properly. Officers can reduce the potential for conflict by using courteous, direct and positive statements.

2.04.001 TACTICAL LANGUAGE APPROACH. When reasonable, officers will use the following tactical language approach during citizen contacts:

A. GREETING;

B. IDENTIFY the officer and department;

C. EXPLAIN REASON for the contact;

D. ASK FOR JUSTIFICATION for the citizen’s actions;

Effective 01/2014
E. **IDENTIFICATION** of the citizen;

F. **REGISTRATION/ INSURANCE** if appropriate;

G. **DECISION** about enforcement action; and

H. **CLOSING**.

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2.04.003 **CONSENSUAL ENCOUNTERS.** Officers may approach, identify and briefly interview anyone if the contact is reasonable under the circumstances and the person agrees. Persons may refuse to stop and be interviewed. If so, officers will only detain them with reasonable, impartial grounds beyond the refusal and according to law and this policy. Courts may consider encounters to be non-consensual, temporary detentions if persons feel they are not free to leave at any time.

2.04.004 **TEMPORARY DETENTION** is stopping someone for a limited time, based on reasonable suspicion, to determine the person’s involvement in an offense.

A. **MIRANDA WARNINGS.** Officers need not give Miranda warnings before interviewing persons they temporarily detain if the detention does not rise to the level of a custodial arrest.

B. **REASONABLE SUSPICION** is less than probable cause but more than mere suspicion or hunch. It is based on specific facts that, taken together, reasonably lead to the belief that a person has been, is, or is about to be involved in an offense.

Effective 01/2014
1. FACTORS CONTRIBUTING TO REASONABLE SUSPICION:
   a. Evasive or furtive movements;
   b. Fitting a suspect description;
   c. Being near a recently committed offense;
   d. Actions, clothing or presence are unusual for the situation or suggest involvement in an offense;
   e. Criminal history; or
   f. Other factors or information linking the person to an offense. (Anonymous information must be verified and linked to other suspicious actions.)

Running from officers, especially those in plain clothes and/or driving unmarked vehicles, does not create reasonable suspicion without other factors.

C. REQUIREMENTS FOR TEMPORARY DETENTION. Officers must be able to justify temporary detentions by specific facts that show reasonable suspicion based on some:

1. Activity out of the ordinary;
2. Indication to connect the person to the activity; and
3. Indication the activity is related to a specific offense.

D. LENGTH OF DETENTION. Officers may detain persons no longer than reasonably needed to fulfill the purpose of the stop. They will release persons if they are unable to develop probable cause to arrest within a reasonable time under the circumstances. Officers will get supervisor approval to continue any detention longer than 30 minutes.

E. USE OF FORCE. Officers may use a reasonable amount of force, as authorized by LPD policy, to safely conduct a temporary detention.

F. FRISKS are limited, “pat down” searches of a person’s outer clothing to protect the officer or others from weapons.

   1. AUTHORIZATION. A temporary detention does not automatically justify a frisk. Officers will only frisk persons they have lawfully detained and reasonably believe are armed. Officers may also
search any items carried by persons they frisk if they reasonably believe the items may conceal weapons.

2. **VEHICLES.** When officers lawfully detain persons in vehicles and are authorized to frisk them, officers may order the persons out of vehicles and make a limited search for weapons in the passenger area to which persons had access. Officers must limit their search to areas or containers in which a weapon might be hidden.

3. **SEIZING ITEMS.** Officers may seize items they discover during frisks if they reasonably believe an item is a weapon or something that could be used to harm officers. Officers may also seize items they discover and immediately recognize as contraband.

**G. FIELD IDENTIFICATIONS** are situations where officers have *reasonable suspicion to believe a detained person has been involved* in an offense and a witness is taken to where the person is detained. Officers should only use field identifications when appropriate and follow these guidelines:

1. **WITNESS CONDITION.** Officers will not use field identification when witnesses are emotionally unable to confront a suspect.

2. **TAKING WITNESS TO SUSPECT.** Officers will take the witness to the suspect unless the suspect consents to go with officers to the witness.

3. **ONLY ONE WITNESS.** Officers will allow only one witness to view the suspect for field identifications.

4. **SETTING.** Officers will make the setting of the identification as neutral as reasonably possible. A suspect sitting in a patrol vehicle, obviously handcuffed or restrained by officers, may taint the identification.

5. **COMMENTS TO THE WITNESS.** Officers will make as few comments to the witness as possible and keep all comments neutral. They will not suggest the person detained is the suspect.

6. **EVALUATING RELIABILITY.** Officers will use the following to determine if an identification is reliable:
   a. The witness’s opportunity to view the suspect during the crime;
   b. The witness’s attention level;

**Effective 01/2014**
c. The accuracy of the witness's prior description of the suspect;

d. How certain the witness is about the identification;

e. The time between the crime and the identification; and

f. Whether the witness was a casual observer or the victim.

7. DOCUMENTING. Officers will make a detailed report of the identification and include:

a. A description of where the identification was made and consider lighting and weather conditions;

b. The distance from which the witness viewed the suspect;

c. All remarks made by anyone present at the identification;

d. Witnesses to the identification; and

e. Video recording using a patrol vehicle's MVR system.

2.05 ARREST. An actual arrest is the seizure of a person by an officer physically touching that person and stating the officer's intent to arrest. A constructive arrest is the seizure of a person when an officer's authority and intention are implied by the circumstances and the person submits to that authority. An arrest has been made when "a reasonable person would have believed that he was not free to leave" after a detention.

Officers arresting adults for Class "B" or greater offenses, with or without warrants, will book them into the County jail or lawfully release them.

Officers should take adults arrested for Class "C" charges to Municipal Court during business hours. After hours, officers may book these persons into the county jail or release them according to procedures.

Officers arresting a TCOLE license holder (peace officer, jailer, telecommunicator, etc.) will notify a supervisor. The supervisor will send the Case Report number to the Chief and appropriate Assistant Chief.

2.05.001 GENERALLY

A. ARREST IS OPTIONAL. Officers do not have to arrest every time they have probable cause. They may decline to arrest when it better serves
the public interest. Officers will be able to justify any decision not to arrest.

B. PROVOCATION BY OFFICER. Officers will not arrest for conduct they provoke.

C. MIRANDA WARNING. Officers will read the Miranda warning to arrested suspects before questioning them about offenses.

D. INFORM ARRESTEE. If feasible, officers will tell arrestees their intent to arrest and the reason for arrest.

E. INCAPACITATED PERSONS. Officers may arrest mentally ill, unconscious or injured persons even though the persons cannot understand they are arrested.

F. WARRANTS. Officers will get arrest warrants when they have reasonable time and opportunity. They will get warrants for persons they do not arrest immediately for offenses committed in their presence unless a delay is due to resistance, safety concerns or suspect flight.

G. JURISDICTION. For purposes of this policy, jurisdiction is restricted to inside the city limits or to property owned by the City which is outside the city limits. Officers investigating suspects for crimes outside the city limits or City owned property should coordinate with law enforcement agencies that have jurisdiction. Legal agreements and exigent circumstances are exceptions to this rule.

2.05.002 ARREST WITHOUT WARRANT. Officers will only arrest without warrants when authorized by the CCP and according to LPD policy.

A. REQUESTED BY ANOTHER OFFICER. Officers may arrest without a warrant when asked by another officer if they believe the other officer has probable cause to arrest and the arrest is authorized by the CCP.

B. ASSUMED ARRESTS. Officers should assume arrests from security guards or any other citizen when there is probable cause for the arrest and the arrest is authorized by the CCP. When allowed by law, officers may choose to release an arrested person because of age, pregnancy, or poor physical condition. Officers will get a written statement or report from the arresting person justifying the arrest.

C. MISDEMEANOR FIELD RELEASE is issuing citations instead of making custodial arrests. Officers will make a crime report and may list multiple offenses for the same case number on a citation. Officers may use field release when:
1. Offenses are Class C misdemeanors;

2. Suspects have local addresses and adequate identification;

3. Officers have no reasonable belief suspects will fail to appear, be injured, or commit more offenses after release;

4. Officers do not believe suspects are involved in more serious offenses;

5. Suspects have no outstanding arrest warrants; and


D. **HOT PURSUIT** is the immediate and continuous pursuit of a person by an officer trying to arrest that person. The pursuit is continuous even though the officer may temporarily lose sight of the pursued person. Officers may enter a residence to arrest without a warrant when they are in hot pursuit.

### 2.05.003 ARREST WITH WARRANT

Officers will arrest with warrants according to the CCP and LPD policy.

**A. OFFICERS' GENERAL RESPONSIBILITIES.** Officers will verify that arrest warrants are valid and for persons the officers have detained. Officers will not alter warrants. If the form is improper, they will return warrants to the issuing magistrate. Officers will serve any valid warrant of which they are aware as soon as feasible unless delay is tactically preferable. Officers may notify subjects of Class “C” misdemeanor warrants by phone. Officers will make appropriate notifications when they serve warrants so the warrants no longer show as outstanding.

**B. OTHER AGENCIES' WARRANTS.** Officers may serve any arrest warrant for another Texas law enforcement agency or any felony arrest warrant for an out-of-state law enforcement agency. Unless there are also local charges, officers will get teletype confirmation before serving other agencies’ warrants. Officers will have other agencies notified when they serve their warrants.

**C. WARRANT SERVICE**

1. **NOTIFICATION.** The supervisor in charge will fully brief their Section Commander and the Patrol Shift Commander before serving multiple or high-risk arrest warrants. The supervisor in
charge will have an LPD Risk Assessment Checklist completed to determine the appropriate personnel to serve warrants.

2. **TIME OF SERVICE.** Officers will plan service for daytime, unless this increases the danger or is impractical. They will serve warrants when subjects of warrants are most likely present, balancing safety, effectiveness, and convenience for all affected.

3. **PLACE OF SERVICE.** Officers may serve warrants in any public place or in any private place they have consent or lawful authority to enter. They should notify an appropriate person in authority if the subject of a warrant is in a business or public facility.

4. **SERVICE RESTRICTIONS.** Officers will not plan warrant service mainly to conduct a search incident to arrest, inconvenience, or embarrass anyone. Only peace officers will serve warrants unless supervisors decide locksmiths or other technical help is needed.

5. **ENTERING PRIVATE PREMISES.** Officers will knock, announce their identity and purpose, and demand entry when serving warrants at private premises. This does not apply when serving felony warrants and they reasonably believe announcement would endanger themselves or the subject of the warrant. However, they will verbally identify themselves as officers immediately on entry.

6. **FORCIBLE ENTRY.** Officers will force entry with the least force needed and cause as little damage as feasible. All officers on scene will wear body armor and obvious identification as officers.

7. **SITE SECURITY.** Officers in charge will take care to secure the scene and protect everyone present. Officers serving felony warrants in or immediately outside a premises may do a protective sweep of the site to find and secure all persons they reasonably believe may endanger them. Officers must record the specific facts leading them to believe they were endangered. They may only inspect places where persons might hide. Officers will leave the site as secure as feasible.

2.05.004 **ILLEGAL ALIEN ARRESTS.** Officers may arrest illegal aliens on any charge for which they would normally arrest any other suspect. They may not detain or arrest only because they suspect someone may be an illegal alien and may not detain them longer than any other suspect.

A. **BORDER PATROL NOTIFICATION.** Officers arresting suspected illegal aliens on other charges will note “Notify Border Patrol” on the booking sheet.

Effective 01/2014
B. FOREIGN CONSULATE NOTIFICATION. Officers arresting foreign nationals will tell them they may have their consulate notified of the arrest. Sometimes notification is mandatory regardless of the person’s wishes. Communications keeps a list of these countries and contact numbers. Officers will contact Communications to confirm if notification is mandatory. Officers will notify the U.S. State Department when they are asked or required to notify a foreign consulate.

2.05.005 SUSPECT CUSTODY

A. SUSPECT RIGHTS. LPD staff will protect the rights of all suspects. They will not physically or verbally abuse suspects.

B. INJURY/ ILLNESS. LPD staff will do everything feasible to protect suspects from injury, either self-inflicted or other. Staff will notify a supervisor and seek appropriate medical attention when a suspect is injured, ill, or when staff reasonably believes a suspect has ingested anything that could be harmful. The supervisor will send the Case Report number to the Chief and appropriate Assistant Chief.

Arresting Officers should route injured or ill prisoners to University Medical Center before trying to book them.

C. SEARCHES. Officers will thoroughly search all suspects as soon as feasible after arrest. They will seize contraband, evidence and possible weapons. LPD staff will have someone of the same sex as a suspect conduct the search of a suspect. Staff will only do visual, exterior searches of the opposite sex unless they reasonably believe more is absolutely needed to protect themselves.

D. TRANSPORTATION. Officers will transport suspects handcuffed behind their back, using prisoner shields and seat belts, if available, unless suspects’ physical condition or demeanor requires other methods. Prisoners transported by EMS will have an officer riding in the ambulance with the prisoner. Officers will coordinate with EMS personnel to determine if restraints are necessary.

E. PRISONER PROPERTY. Personal property taken from a prisoner shall be secured and cared for in the manner designated by the receiving agency (Lubbock County Detention Center, Lubbock County Juvenile Justice Center, etc.).

Effective 01/2014
2.05.006 SECURITY

A. POSTED NOTICES/INSTRUCTIONS. When transporting a prisoner to another agency’s facility, LPD staff will comply with notices or instructions posted about the receiving agency’s facility.

B. WEAPONS. Officers will not bring firearms, belt knives, pepper spray or Tasers into secure areas but will place them in designated lockers before entering. A Shift Commander may override this section in an emergency.

2.06 SEARCH & SEIZURE is looking for what has been concealed and taking evidence or contraband into police possession.

2.06.001 OBJECTS OF SEARCHES. Officers may search for and seize fruits of crime, tools of crime, contraband and mere evidence (that connecting someone to a crime).

2.06.002 SEARCH WITHOUT WARRANT. Officers will follow all applicable laws and LPD policy on searches without warrants. Courts consider searches without warrants unreasonable according to the Fourth Amendment unless done under one of the following recognized exceptions:

A. SEARCH INCIDENT TO ARREST. Officers may search, without a warrant, persons lawfully arrested and the areas within their immediate control for weapons or evidence. They must search immediately or soon after the arrest. Items found during the search cannot be used as probable cause to support the arrest; however, additional charges may be filed as appropriate. Officers must make these searches after full, custodial arrests, not merely citations.

B. SEARCH UNDER EXIGENT CIRCUMSTANCES. Officers may search, without a warrant or consent, when they have probable cause to believe there is an emergency requiring immediate action to protect life or property and they do not have time to get a warrant. Officers must have more than a need to arrest a suspect or seize evidence.

1. PROTECTIVE SWEEPS. Officers may search for victims needing aid or suspects endangering officers and may seize any evidence found in plain view during a sweep. Officers will only search areas that might contain a person.

2. HOT PURSUIT. Officers may enter a residence to arrest without a warrant when they are in hot pursuit for serious offenses, including Evading Arrest; or

Effective 01/2014
3. PREVENTING THE IMMINENT OR LIKELY DESTRUCTION OR REMOVAL OF EVIDENCE OR CONTRABAND. Officers will balance the need to protect evidence and the seriousness of the offense with the level of intrusion caused by a search.

C. MOTOR VEHICLE SEARCHES. Officers may search motor vehicles and their contents without warrants when they have probable cause to believe the vehicles contain contraband or evidence of crime.

D. CONSENT SEARCHES. Officers do not need probable cause to search when they have consent from someone with authority over the premises or items they wish to search. Officers do not need probable cause or reasonable suspicion to ask for consent. A valid consent must be voluntary, not the result of threat, intimidation or coercion. Officers can prove consent is voluntary by totality of circumstances.

1. RIGHT TO REFUSE. Officers will tell persons whose consent they seek that they have the right not to consent and that officers may seize and use anything found as evidence.

2. WRITTEN CONSENT. Officers should get written consent on the LPD Consent to Search form before making consent searches.

3. CONSENT LIMITED/REVOKED. Consenting persons may limit the scope of searches or revoke their consent. If so, officers will immediately stop or limit searches.

E. ABANDONED PROPERTY is property to which a person has given up all claims of ownership and any expectation of privacy. Officers may search and seize abandoned property without warrants.

F. OPEN FIELDS. Officers may search open areas without warrants and seize any evidence or contraband found. Fencing, gates and “No Trespassing” signs do not create protected areas requiring search warrants.

2.06.003 PLAIN VIEW SEIZURES WITHOUT WARRANT. Officers may seize evidence or contraband they find in plain view if they are lawfully where they can see the items and they have probable cause to connect the items to criminal activity.

2.06.004 SEARCH WITH WARRANT is controlled primarily by the CCP. Officers will search with warrants according to the CCP and LPD policy.

Effective 01/2014
A. WARRANT MANDATORY. Officers must have warrants to search for or seize property unless LPD policy permits warrantless searches or seizures.

B. WARRANT SERVICE

1. NOTIFICATION. Officers in charge will fully brief their Section Commander and the Patrol Shift Commander before serving search warrants unless warrants are for biological evidence from suspects.

2. TIME OF SERVICE. Officers will plan service for daytime, unless this increases the danger or is impractical. They will serve warrants when the desired objects are most likely present and when resistance should be least and can be best controlled. They will balance safety, effectiveness, and convenience for everyone affected.

3. PLACES SEARCHED. Officers may only search places identified in warrants. They should notify an appropriate person in authority if the warrant is for a business or public facility. Officers will get search warrants for wanted persons they have probable cause to believe are in someone else’s residence.

   Officers may search vehicles found where they serve search warrants if warrants describe them or if warrantless searches are justified.

4. SERVICE RESTRICTIONS. Officers will only search for items described in warrants. They may only search where those items could be hidden. Officers may seize other evidence or contraband found in plain view.

   Only peace officers may go on warrant service unless supervisors decide locksmiths or other technical help is needed. Officers will strive to prevent or minimize damage to property.

   The supervisor in charge will have an LPD Risk Assessment Checklist completed to determine the appropriate personnel to serve warrants. All officers on scene will wear body armor and obvious identification as officers.

5. ENTERING PRIVATE PREMISES. Officers will knock, announce their identify and purpose, and demand entry when serving warrants at private premises. They may enter without a knock and demand when serving authorized, “no-knock” warrants. They will verbally identify themselves as officers immediately on entry.

Effective 01/2014
6. **FORCIBLE ENTRY.** When needed, officers may force entry, causing as little damage as feasible. Officers in charge will have enough help and will take care to secure the scene and protect everyone present.

7. **PERSONS ON SCENE.** Officers serving warrants may do a protective sweep of the premises to find, identify and secure all persons they reasonably believe may endanger them. They may detain occupants of premises while searching.

   Officers may search occupants of premises to recover items described in warrants if they have reasonable suspicion the occupants may possess the items, if authorized in this policy as a frisk, or under exigent circumstances. Officers should consider the nature of the items and the relationship of occupants to the premises when determining reasonable suspicion.

8. **EVIDENCE CONTROL.** Officers in charge will assign specific officers to record and control evidence.

9. **SITE SECURITY.** As much as feasible, officers will leave the site secure and not in disarray because of the search.
PROCEDURE MANUAL

CHAPTER 3

3.00 INVESTIGATIVE PROCEDURES

3.01 PURPOSE. To provide guidelines for certain investigative procedures.

3.02 POLICY. Lubbock Police Department officers conduct all investigations professionally and impartially, following appropriate local, state and federal statutes, regulations and case law. Officers also conduct investigations according to their training and LPD policies, procedures and rules. Investigations Division Sections may develop procedures specific to their operations and may use any appropriate input from prosecutors or other legal advisors.

3.03 SUSPECT IDENTIFICATION.

3.03.001 PURPOSE. To outline proper protocol for eyewitness identification procedures to maximize the reliability of identifications, exonerate innocent persons, and establish evidence that is reliable and conforms to established legal procedure.

3.03.002 POLICY. Eyewitness identification is a significant component of a criminal investigation. While eyewitness identifications remain an important tool in the identification of a suspect in a criminal investigation, constitutional safeguards must be observed in the process of the identification. The identification process must be carefully administered to avoid any practice that may contribute to misidentifications. These guidelines are written to provide information regarding legal requirements and best practices surrounding the collection and preservation of eyewitness evidence.

3.03.003 PHOTO AND LIVE LINE-UPS.

A. Photo line-ups consist of six randomly arranged unmarked photos of equal size and color, including one photo of the suspect, five photos of persons with physical characteristics similar to the suspect who are not suspected of the crime, and two blank photos at the end of the of the photo line-up.

B. Live line-ups consist of six randomly arranged persons, including the suspect and five other persons with physical characteristics similar to

Effective 01/2014
the suspect who are not suspected of the crime. Live line-ups are typically shown to a witness in a line-up room with one-way glass and a speaker system so the witness can see and hear the persons in the line-up, but the persons in the line-up cannot see nor hear the witness.

C. Investigating officers will prepare the photo or live line-up to ensure other suspects in a case are not included in the line-up.

D. Supervisors will assign an officer to administer the photo or live line-up. Only officers who do not know which person is the suspect will administer the photo or live line-up. Officers who know the identity of the suspect should not be present when the photo or live line-up is shown to a witness.

E. When feasible, officers will make audio or video recordings of the entire presentation of photo or live line-ups, verbally identifying all persons present, case number, date, time and location.

F. Officers presenting photo or live line-ups will read the written instructions from the “LPD Photo or Live Line-up Instructions” form to the witness prior to showing the line-up. The instructions will cover the following topics:

1. The person who committed the crime may or may not be included in the line-up;

2. At least six photos or persons will be shown to the witness, even if a person is identified by the witness during the procedure;

3. It is as important to exclude innocent persons as it is to identify the perpetrator;

4. Photos or persons will be shown one at a time and are not in any particular order;

5. Certainty of a witness’ identification of a suspect;

6. Witness should avoid discussing the identification procedure or its results in order to prevent damaging the investigation;

7. Witness understands the instructions.

G. An interpreter should be used if a witness has a limited understanding or is otherwise physically challenged to communicate in English.

Effective 01/2014
3.03.004 **IDENTIFICATION RECORD.** Officers will accurately and comprehensively detail any suspect identification procedure in supplement reports. They will properly mark all photos, or other recorded identification procedures and submit them as evidence whether or not an identification was made. Officers will have identifying witnesses sign any photos or relevant evidence indicating the person they identified.

3.04 **POLYGRAPH**

3.04.001 **STATUTORY REQUIREMENTS.** LPD polygraph examiners will comply with all statutory requirements related to polygraph operations, including the Polygraph Examiners Act.

3.04.002 **ADMINISTRATIVE INVESTIGATIONS.** Examiners may administer polygraph examinations in administrative investigations only by order of the Chief or Acting Chief for the following reasons:

A. The complainant passes an LPD polygraph or

B. The Chief believes there are extraordinary circumstances that raise questions about officer or LPD integrity.

3.04.003 **MANDATORY PRE-EMPLOYMENT TESTING.** Applicants for Police Officer and Property Room Attendant positions must pass polygraphs to be eligible for employment. Examiners will not test applicants for any other City position.

3.04.004 **RESULTS CONFIDENTIAL.** LPD staff will only release polygraph results to persons identified in Chapter 1703, Texas Occupation Code.

3.05 **SEXUAL ASSAULT INVESTIGATION**

3.05.001 **OFFICER DEEMANOR.** Officers will treat victims with compassion, consideration, patience and respect for personal dignity. They will not be critical or give personal opinions about the situation.

3.05.002 **APPROPRIATE LANGUAGE.** Officers will speak appropriately and use terms appropriate for the victims' age, intelligence and education level.

3.05.003 **RAPE CRISIS ASSISTANCE.** Officers will immediately have the Rape Crisis Center notified for any sexual assault or attempt. If feasible, officers will wait for Rape Crisis volunteers to explain medical exams, personal hygiene to preserve evidence and the investigation/prosecution process.

Effective 01/2014
Officers will allow volunteers to stay with victims during any part of the investigation if the victim approves and the volunteer does not interfere.

3.05.004 **PERSONS INVOLVED.** Investigating officers will limit the number of persons, including other officers, present during interviews. Only one officer will conduct the initial investigation, keeping it as private and brief as feasible while getting enough information for a complete report. Officers may grant victims’ requests to have one support person with them during investigations.

3.05.005 **PSEUDONYMS.** Officers will give victims the opportunity to choose pseudonyms. Staff will protect the confidentiality of pseudonyms according to CCP Chapter 57.

3.05.006 **CASE PROGRESS.** Assigned Persons Crimes Investigators will keep victims informed of case progress.

Effective 01/2014
VEHICLE PURSUIT AND CALL RESPONSE

PURPOSE: To provide guidelines for decisions on vehicle pursuits and call response.

POLICY. Vehicle pursuits and emergency call response have the potential to endanger citizens, officers and suspects. The LPD has a responsibility to help officers safely perform their duties. For these reasons, the LPD regulates vehicle pursuits and emergency call response.

Neither State law nor this policy relieves officers from their duty to drive with due regard for the safety of all persons, or from the consequences of reckless disregard for the safety of others.

CHAPTER REVIEW. Officers will review this chapter at each driver training session.

VEHICLE PURSUIT is an active attempt by officers in police vehicles to capture suspects intentionally fleeing in vehicles.

APPROVED PURSUIT. Officers may begin or continue pursuit if they reasonably believe the need to immediately capture the suspect is greater than the risk to the public.

NEED refers to the urgency of the circumstances requiring police intervention. Officers will evaluate the need to pursue based on:

A. The seriousness of the offense;

B. Whether the officer’s immediate pursuit is necessary to prevent injury, loss of life, or to capture a suspect; and

C. What alternative courses of action, if any, are available to reach a comparable result.

Effective 01/2014
4.04.003 **RISK** refers to the countervailing public safety concerns, including:

A. The nature and severity of harm the officer’s actions could cause, including injuries to bystanders as well as the possibility that a crash may prevent the officer from continuing;

B. The likelihood any harm would occur; and

C. Whether an unreasonable risk of harm would be clear to a reasonably prudent officer.

4.04.004 **CONSTANT EVALUATION.** Because situations and conditions in pursuits may change rapidly, officers and supervisors will constantly evaluate whether to continue pursuit.

4.04.005 **PURSUIT PROHIBITED.** Officers will not pursue when:

A. The risk to the public from the pursuit outweighs the need to immediately capture the suspect;

B. The suspect can be identified and more safely arrested later; or

C. There is a civilian with the officer.

4.04.006 **PRIMARY OFFICERS** are those who initiate pursuits or replace that officer. They will immediately inform Communications of:

A. The pursuit and the reason for it;

B. The location and direction of the pursuit; and

C. Direct the pursuit until a supervisor takes charge.

4.04.007 **BACKUP OFFICERS** will follow the primary officer and assist as needed. Only one backup officer may be involved unless more are requested by the primary officer or directed by a supervisor.

4.04.008 **SUPERVISORS** assigned to pursuits will participate in them and will:

A. Identify their unit number on the radio channel with the pursuit;

B. Monitor and direct the pursuit;

C. Control the number of officers involved and tactics used; and

D. Have primary responsibility to continue or terminate the pursuit.

Effective 01/2014
Supervisors will base their decision to continue or terminate according to their evaluation of the need and risk factors in 4.04.002 and 4.04.003 as well as other provisions in this chapter.

4.04.009  PURSUIT TACTICS.

4.04.010  TERMINATION may be the most reasonable way to protect the lives and property of the public, officers and suspects. Officers may terminate pursuits by abandoning them or forcibly stopping suspect vehicles when authorized by a supervisor.

A. ABANDONING. The primary officer, assigned supervisor or any supervisor may order the pursuit to be abandoned. Officers will immediately abandon pursuit when the risk to the public outweighs the need to immediately capture the suspect.

Effective 01/2014
3. **ROADBLOCKS** are stationary barriers, usually police vehicles, placed in front of a fleeing suspect's vehicle to block its path.

a. Officers may participate in roadblocks and Lieutenants or higher-ranking officers may authorize and direct the use of roadblocks only after training and according to the training. The Patrol Assistant Chief will determine appropriate training.

Effective 01/2014
4.04.011 OTHER AGENCY PURSUITS. LPD officers may assist these pursuits within Lubbock city limits when the other agency requests and an LPD supervisor authorizes. Supervisors should determine the reason for the pursuit and the number of other agency vehicles involved before authorizing assistance. LPD officers and supervisors will follow LPD pursuit policy, constantly balancing the risk from the pursuit against the need to immediately capture the suspect. Officers will not continue outside the city limits unless specifically requested by the other agency and authorized by an LPD supervisor.

4.04.012 OTHER AGENCY NOTIFICATION. Supervisors will have all appropriate agencies notified when LPD officers pursue outside the city limits.

4.04.013 DEPARTMENT REVIEW. Officers will complete Pursuit Reports and Case Reports on all pursuits. Supervisors and Shift or Section Commanders will closely review these reports and any related MVR recordings for conformance to policy. They will forward reports to the appropriate Assistant Chief with their recommendations.

4.05 CALL RESPONSE

4.05.001 EMERGENCY CALLS are only those where an officer needs help or situations where human life is in danger.

4.05.002 APPROVED EMERGENCY RESPONSE. Officers may make an emergency call response when they reasonably believe the need for the response is greater than the risk to the public. A supervisor may order officers to stop an emergency response. Officers and supervisors will base their decisions to make or stop an emergency response according to their evaluation of the need and risk factors in this chapter.

Effective 01/2014
A. Officers will always respond Code Three, using emergency lights and sirens, when making an emergency call response.

B. Officers may disregard traffic regulations for vehicle movement and speed. They will not exceed speed limits by more than ten (10) miles per hour unless road and traffic conditions do not cause unreasonable risk. They will slow enough to safely avoid cross traffic before passing through intersections, red lights or stop signs.

C. Officers will immediately notify Communications when responding Code Three.

4.05.003 CONSTANT EVALUATION. Because situations and conditions in emergency responses may change rapidly, officers and supervisors will constantly evaluate whether to continue emergency response.

4.05.004 NON-EMERGENCY CALL RESPONSE. Officers will only respond Code One, without emergency lights or siren, and will obey all traffic regulations when responding to non-emergency calls.

4.06 ACCIDENT NOTIFICATIONS. Shift commanders will have Communications notify the Chief, Patrol Assistant Chief, Accident Investigation, LPD Public Information Officer and Risk Management when a pursuit or emergency call response involves an accident with injury or serious damage.
PROCEDURE MANUAL

CHAPTER 5

5.00  PROPERTY/ EVIDENCE HANDLING AND VEHICLE IMPOUNDMENT

5.01  PURPOSE. To give guidelines for seizing, analyzing, storing, documenting and disposing of property and evidence, including vehicles.

5.02  POLICY. The LPD ensures that property and evidence in its custody is properly secured and stored, readily retrievable, and that any changes in its custody are fully documented.

5.03  GENERAL

5.03.001  ITEMS REQUIRED IN PROPERTY ROOM. Officers will submit evidence (except evidence under 5.03.002), contraband, found property or items taken for safekeeping to the Property Room as soon as possible during their work day. They may release the property according to this chapter or if it is prohibited under Section 5.04. Shift or Section Commanders may authorize an after hours call out for Property Custodians when necessary.

5.03.002  FIREARMS. Firearms must be unloaded prior to submitting into the Property Room. Ammunition will be submitted separately from firearms. Firearms must be secured with approved zip ties so it cannot fire a live round. Exceptions must be approved by a LPD supervisor and documented in reports.

5.03.003  DPS LAB TESTING. Officers will submit felony drugs (excluding marijuana) and items containing blood and body fluids directly to the DPS lab. Officers will submit DPS lab documents and reports to Records.

5.03.004  REPORT REQUIRED. Officers will list all property they take custody of, and its disposition, in the appropriate report. Property Custodians will not accept property submitted without a report number.

5.03.005  PROPERTY ROOM DOCUMENTATION. Officers will complete any documentation required by Property Custodians.

Effective 01/2014
5.03.006 IDENTIFYING PROPERTY. Officers will accurately describe property in their reports, including serial numbers if available. They will mark all items with their name, payroll number, report number, date and time in a way which will not devalue the items.

5.03.007 AFTER HOURS INTAKE. Officers submitting property after regular Property Room hours will:

A. Place property in a locker or cage along with the original copy of a fully completed, signed and dated Property Intake form;

B. Keep one copy of the Intake form;

C. Use only the minimum number or size of lockers or cages required to contain the property;

D. Lock the locker or cage and place the key in the drop box;

E. Padlock bicycles on the bike rack; and

F. Not leave property in the open area or in an unlocked locker or cage.

Officers will submit items that will not fit into a locker or cage to the Property Room during regular Property Room hours.

5.03.008 MONEY/ DRUGS. Officers will separate money and drugs from other items and place them each in their separate envelope with a detailed list of the contents. A supervisor must confirm the contents, seal and sign the envelope. Officers will submit money seized for forfeiture to the Property Room or to assigned Special Operations personnel. They will send the seizure affidavit and the Case Report number to Special Operations. The designated person in Special Operations will submit the seizure affidavit to the DA’s office. Seized money will be deposited into the City’s designated escrow account by the Special Operations Commander or designee.

5.03.009 SPECIAL OPERATIONS SEIZURES. Special Operations officers may store seized items for forfeiture in the designated safe storage location in the Special Operations facility with their commander’s approval. Special Operations officers will document the disposition of items seized for forfeiture in reports.

Documentation in support of federal and state reporting requirements regarding seized property for forfeiture is the responsibility of the Special Operations Commander.

Effective 01/2014
5.03.010 **PURCHASE/ ACCEPTANCE.** LPD staff will not buy, offer to buy or accept as a gift, property in LPD custody or offered by a suspect or detainee.

5.03.011 **DAMAGED/ LOST PROPERTY.** LPD staff may be required to pay for lost or damaged property in their official custody.

5.03.012 **PRISONER PROPERTY.** Officers will secure and submit this according to LPD and/or Lubbock County Detention Center procedures.

5.04 **PROHIBITED ITEMS.** Officers will not submit these to the property room:

5.04.001 **FOOD/ PERISHABLES.** Officers will dispose of these with a supervisor as witness or return them to the owner if possible.

5.04.002 **EXPLOSIVES** (other than firearms ammunition). Officers should contact the appropriate Explosive Ordnance Detail for disposal advice. Officers will submit commercial fireworks to the Lubbock Fire Marshall.

5.04.003 **FLAMMABLES, including gasoline in power equipment tanks.** Officers should contact the DPS lab or Fire Marshall for identification and disposal advice.

5.04.004 **WET OR BLOODY ITEMS.** Officers will dry these before submittal to the Property Room.

5.05 **EVIDENCE**

5.05.001 **CHAIN OF CUSTODY.** Officers will detail the chain of custody in Case Reports for all evidence they seize. This will include who found and seized the property, when and where they found it, where and how they stored it prior to submitting it to the property room and who submitted it to the property room.

   Officers placing latent fingerprints, film, data storage devices or interview cards in the drop box at the front desk will identify them according to 5.03.005 and will note the submission in the log book. Interview cards do not require a report number.

5.05.002 **FIELD TESTING DRUGS.** Officers will field test all suspected drugs unless it would jeopardize lab testing because of small sample size.

5.05.003 **MARIJUANA AND MISDEMEANOR DRUG CASES.** Officers who seize this evidence will submit it to the Property Room until needed for trial. They will then submit the evidence to the DPS lab for analysis.

Effective 01/2014
5.05.004 EVIDENCE FOR COURT. Officers taking evidence from the Property Room for court must return it the same day. If the Property Room is closed, officers will secure the evidence in an After Hours Locker with a Property Intake Form marked, "returning from court." If they release the evidence to the court, they must return the LPD "Court Evidence Receipt" form to the Property Room not later than the next business day.

Property Custodians will report non-compliance to their supervisor.

5.06 CONTRABAND is property that is illegal to possess. Officers will submit contraband, unless prohibited in Section 5.04, to the Property Room.

5.07 FOUND PROPERTY is property other than contraband, found by others and reported to officers, or found by officers during police activity.

5.07.001 VALUABLES. Officers will reasonably try to return obviously valuable found property to the owner. They must submit it to the Property Room if they cannot find the owner or if the property may have evidentiary value.

5.07.002 NON-VALUABLES are items with no obvious monetary or evidentiary value. Officers should not submit this property to the Property Room. They may refuse to accept non-valuables and leave them with the finder.

5.07.003 CLAIMING. Officers should tell persons reporting found property that the City will dispose of the property if the owner does not claim it within 30 days or the finder does not show a court order for the property. Finders may not claim contraband, pharmaceuticals, alcoholic drinks, firearms or ammunition.

Officers may not claim found property.

5.08 SAFEKEEPING PROPERTY is usually small valuables found during vehicle inventories or weapons given to officers after domestic disputes to reduce future risks. Officers will identify these items as safekeeping property when submitted to the Property Room.

5.09 SUSPECTED STOLEN PROPERTY is property taken because the person possessing the property cannot immediately prove ownership and officers reasonably suspect it may be stolen.

Effective 01/2014
5.10 PROPERTY DISPOSITION

5.10.001 NOT RETURNED OR SOLD. Property Custodians will destroy non-evidentiary contraband, pharmaceuticals, and opened alcoholic drinks. The LPD will not auction firearms or ammunition.

5.10.002 OWNER NOTIFICATION. Property Custodians will send written notification to property owners that they have 30 days to claim their property or the City will dispose of it.

If Officers have not identified the true owner of suspected stolen property within 30 days, Property Custodians will notify the person from whom it was taken that they have 30 days to claim the property with a court order or the City will dispose of it. Officers may ask Property Custodians to hold property another 30 days by documenting their reasons in a supplement report and emailing the report number to the Property Room supervisor.

5.10.003 UNCLAIMED EVIDENCE. Except as noted in 5.10.001, Property Custodians will follow the Code of Criminal Procedure to dispose of all evidence not claimed within 30 days after final case disposition.

They may dispose of misdemeanor evidence after one year unless charges have been filed or the owner claims the property.

They may dispose of felony evidence after final case disposition or the statute of limitations expires.

5.10.004 UNCLAIMED FOUND, SAFEKEEPING AND RECOVERED STOLEN PROPERTY. Property Custodians will follow the Code of Criminal Procedure to dispose of this property if not claimed within 30 days.

5.10.005 ALCOHOLIC DRINKS. Property Custodians may release any unclaimed drinks with no criminal cases pending to the TABC. The TABC may authorize City Purchasing to dispose of these.

5.10.006 FEDERAL FIREARMS VIOLATIONS. Property Custodians who receive weapons taken for Federal violations will notify the BATF.

5.10.007 RECOVERED STOLEN PROPERTY. When officers identify owners of stolen property, they should release the property to the owner unless they need the property for fingerprinting, identification or forensic testing. Officers will photograph the victim with the property and include identifiers such as serial numbers, price tags, etc. Officers will have the owner sign a property receipt form and process the photographs as evidence.

Effective 01/2014
Property Custodians will also follow this procedure to release recovered stolen property from the Property Room.

5.11 PAWNSHOP PROPERTY

5.11.001 HOLD ORDERS. Officers must have probable cause to believe property found in pawnshops is stolen before they can hold that property. They must identify items by serial number or unique characteristics.

Officers finding possible stolen property in pawnshops will place a verbal hold on the property, complete the proper report and contact a Property Crimes investigator the next business day.

Property Crimes investigators will complete a hold order and submit the original to Records. They will give a copy to the pawnshop operator. They will also justify the hold in the proper reports and continue the investigation promptly.

5.11.002 TIME LIMITS. Officers may hold property for 60 days on LPD cases and 10 days when assisting other agencies.

5.11.003 SEIZING PROPERTY. Officers seizing property that pawnshop operators have voluntarily surrendered will complete a "Property Seizure and Receipt Form," give a copy to the pawnshop operator and submit the original to Records. Officers will notify a Property Crimes supervisor of the property seizure and report number and document this in their report.

5.12 VEHICLE IMPOUNDMENT

5.12.001 ILLEGALLY PARKED AND DISABLED VEHICLES. Officers may impound these vehicles to protect life or property in emergencies with supervisor approval. Supervisors will consider the nature and length of violation, efforts to contact owners and the ability and efforts to remove the vehicle by anyone responsible for it.

5.12.002 ABANDONED VEHICLES are:

A. Inoperable, more than 5 years old and unattended on public property more than 48 hours;

B. Illegally on public property more than 48 hours;

C. On private property more than 48 hours without the property owner's consent;

Effective 01/2014
D. Unattended on the right-of-way of a designated county, state or federal highway more than 48 hours; or

E. Unattended on right-of-way of a controlled access highway more than 24 hours.

Officers finding abandoned vehicles will place a completed LPD abandoned vehicle sticker on them and submit a completed abandoned vehicle card to the Desk Sergeant. The Desk Sergeant will send the card to the Ordinance and Wrecker Officer.

LPD staff will refer reports of vehicles abandoned in storage facilities to the Ordinance and Wrecker officer. The Ordinance and Wrecker officer may tow stickered vehicles after 48 hours.

5.12.003 WRECKED VEHICLES. Officers may impound a vehicle involved in an accident and cannot be safely driven. Drivers will decide the vehicles' disposition if they can. If not, officers may have vehicles towed to the contract wrecker's impound lot.

5.12.004 STOLEN VEHICLES. Officers may impound any vehicle they reasonably believe is stolen and the owner cannot come for it.

5.12.005 ARRESTS. Officers may impound any vehicle when they make a custodial arrest of the person controlling the vehicle and that person was in the vehicle or exited immediately before arrest. Officers will look for alternatives to impoundment when feasible.

A. LEAVE AT SCENE. Officers may leave a vehicle at the scene if the arrested person agrees and signs a "Waiver of Liability." Officers will not impound a vehicle on private property if the property owner agrees it can remain. Officers do not have to try to locate property owners after hours.

B. RELEASE TO ANOTHER. Officers may release a vehicle to another person if that person produces a driver's license, is capable of driving, is willing to take the vehicle and the arrested person signs a "Waiver of Liability." Officers should confirm vehicle ownership before releasing.

Officers will impound vehicles when waivers are not signed. They will impound vehicles if the arrested person appears mentally incapable of consenting to the waiver or would endanger the officer if un-handcuffed to sign.

 Officers will attach any signed waiver to the Case Report.

Effective 01/2014
FINANCIAL RESPONSIBILITY IMPOUNDS. Officers impounding a motor vehicle for no financial responsibility will issue a citation for the violation and write an incident report. Officers may impound motor vehicles operated on a public street without liability insurance when:

A. Officers stop a vehicle for a city or state law violation, or if a vehicle is involved in a traffic accident;

B. The owner/operator cannot show proof of financial responsibility; and

C. Officers confirm the lack of coverage through the state insurance database.

SEIZED VEHICLES. Officers will obtain a supervisor's approval prior to seizing a vehicle. If approved, the supervisor will contact a Special Operations supervisor to have the vehicle secured in the appropriate facility. The seizing officer will inventory the vehicle, remove all property that is not evidence, and either release the property to the owner or process it according to 5.13. Officers may drive seized vehicles to the storage facility.

Officers will send the seizure affidavit with the case number to Special Operations. The designated person in Special Operations will submit the seizure affidavit to the DA's office.

HOLDS. Only Sergeants or higher-ranking supervisors may place holds on vehicles and only if additional time is needed to process vehicles as evidence. They must write the Case Report number, their names and ID numbers on impound slips.

Supervisors authorizing holds will contact the Identification Section supervisor and have the vehicle towed to their facility for processing.

Supervisors authorizing holds for other Sections will immediately notify a supervisor of that Section by email.

Supervisors authorizing or accepting holds will release the vehicles to the owner if feasible or have them towed to the contract wrecker facility as soon as investigating officers finish the processing.

VEHICLE INVENTORY

PURPOSE. Officers will inventory to protect property in vehicles, the LPD against claims of loss, and themselves and others from dangerous items
in vehicles. They will not use inventories instead of probable cause to search for evidence.

5.13.002 **ALL INVENTORIED.** Officers will inventory all vehicles legally impounded under Section 5.12.

5.13.003 **SCOPE.** Officers will inventory the passenger compartment, glove box, console, etc. as well as the trunk. They may open closed containers to comply with 5.13.001.

5.13.004 **AFTER CUSTODIAL ARREST.** Officers should inventory vehicles impounded after arrests at the scene and in the suspect's presence when feasible.

5.13.005 **VALUABLES/EVIDENCE.** Officers will remove money, jewelry, firearms, evidence, etc. and submit them to the Property Room.

5.13.006 **RECORDING.** Officers will list the items found during inventory in supplement reports and on impound cards. They will describe the items in detail and will note where they found them.

5.14 **NOTIFICATIONS**

5.14.001 **COMMUNICATIONS.** Officers will report the description, license and vehicle identification numbers of impounded vehicles to Communications as soon as possible.

5.14.002 **IMPOUND CARDS.** Officers will complete impound cards for all impounded vehicles and submit them to the Desk Sergeant by the end of their shift. Desk Sergeants will give the cards to Public Service Officers for computer entry.

Effective 01/2014
USE OF FORCE

PURPOSE: To provide policy on the use of force and a procedure for reviewing that use.

POLICY. The authority to make arrests or detentions includes the authority to use reasonable force. LPD officers will only use that force reasonably necessary to effectively bring an incident under control while protecting the lives of the public and the officer. The LPD will not tolerate the use of excessive force.

GENERAL PROVISIONS. These provisions apply to both non-deadly and deadly force.

IDENTIFICATION AS PEACE OFFICER. When feasible, officers should identify themselves as peace officers and state their intent to arrest or search before using force.

ONLY REASONABLE FORCE PERMITTED. Officers should use no more force than a reasonable officer would use under the total circumstances of the situation. Three factors are relevant to determining what force is reasonable:

A. The severity of the crime;
B. Whether the suspect poses an immediate threat to the officer or others; and
C. Whether the suspect is actively resisting arrest or attempting to flee.

NON-DEADLY FORCE OPTIONS. If practical, officers should use no more force than a reasonable officer would use under the total circumstances of the situation. Officers are never required to use force options that would unreasonably endanger the public or the officer.

Non-deadly force options available to LPD officers are:

A. Weaponless tactics;

Effective 01/2014
B. Chemical agents;

C. Tasers; and

D. Impact weapons.

6.03.004 TRAINING AND QUALIFICATION. Officers will only use LPD authorized tactics or weapons they are trained to use and are currently qualified with. They will use the tactics or weapons according to their training and as authorized in this policy.

6.03.005 TACTICS OR WEAPONS IN EMERGENCIES. Officers may use any tactic or weapon available in emergencies when reasonably necessary to protect the public or the officer from serious injury or death.

6.03.006 SUPERVISOR REQUIRED. Officers will immediately call a supervisor to the scene when:

A. They discharge a firearm outside the firing range, except during officially sponsored marksmanship events or legal hunting;

B. Use of force results in serious injury or death of a person;

C. A person complains that a use of force against them caused an injury; or

D. Misconduct is alleged or suspected.

6.03.007 CHAPTER REVIEW. Officers will review this chapter at each firearms qualification.

6.04 NON-DEADLY FORCE is any force not considered deadly force.

6.04.001 AUTHORIZED USE OF NON-DEADLY FORCE. Officers may use non-deadly force when they reasonably believe the force is no more than a reasonable officer would use under the total circumstances of the situation. Typical situations where officers may use non-deadly force are:

A. To protect the public or themselves from what the officer reasonably believes to be the use or attempted use of unlawful force;

B. To protect property;

C. Make a lawful arrest or search;

Effective 01/2014
D. To prevent escape from lawful custody;

E. To prevent suicide or self inflicted injury; or

F. To bring unlawful situations safely and effectively under control.

6.05 **DEADLY FORCE** is force intended or known by the actor to cause, or in the manner of its use or intended use, is likely to cause death or serious bodily injury.

6.05.001 **RESORTING TO DEADLY FORCE.** Officers will attempt all those reasonable means of apprehension and control within their command before resorting to deadly force. However, officers will not unreasonably endanger members of the public or themselves in applying these rules in actual situations. Officers will use caution for the protection of other life and property when discharging a weapon.

6.05.002 **AUTHORIZED USE OF DEADLY FORCE.** Officers may use deadly force to:

A. Defend other persons or themselves from what the officer reasonably perceives as an immediate risk of death or serious bodily injury; or

B. Effect an arrest or prevent an escape when an officer reasonably believes the suspect or escapee has taken or endangered human life, or will endanger human life and alternative means have been attempted or would involve a risk of death or serious bodily injury to other persons or the officer.

6.05.003 **DRAWING FIREARMS.** Officers will not draw or make firearms ready for use unless a reasonable officer under the same circumstances would believe there is a risk to the public or officer, or it may be necessary to use the weapon according to this policy.

6.05.004 **AUTHORIZED DISCHARGES.** Officers may discharge firearms:

A. When deadly force is justified according to policy;

D. During range practice, officially sponsored marksmanship events, legal hunting or LPD approved testing; or

Effective 01/2014
E. To destroy animals threatening public or officer safety, or that are seriously injured.

Officers should get supervisor approval and reasonably attempt to notify owners before destroying animals. They will arrange to have the carcass removed.

6.05.005 PROHIBITED DISCHARGES. Officers will not discharge firearms in violation of this chapter or as warnings.

6.06 INVESTIGATING FIREARMS DISCHARGES

6.06.001 OFFICERS DISCHARGING FIREARMS will, if not incapacitated:

A. Immediately notify Communications;
B. Request EMS for injured persons, even if they appear deceased;
C. Remain at the scene until a supervisor instructs otherwise or when they must leave to stabilize the situation;
D. Protect their firearms as evidence;
E. Not discuss the discharge with other officers or witnesses without supervisor approval unless necessary to convey officer safety or tactical information; and
F. Review their video and audio recordings, LPD policy and state law prior to making reports or giving written statements.

6.06.002 SUPERVISORS will respond to the scene as directed. One will stay with the officer to provide assistance, discuss the incident, and drive the officer to the PD as soon as possible. Others will assist as needed.

6.06.003 SHIFT COMMANDERS will give command assistance at the scene, arrange to replace the involved officer's firearm and have the Crisis Team Coordinator or other member respond to assist the officer.

6.06.004 ADMINISTRATIVE LEAVE/ DUTY. The Chief or an Assistant Chief may place involved officers on administrative duty or leave without loss of pay and benefits. This does not imply any wrongdoing. Officers on this leave will stay available for investigative interviews, provide statements relating to the incident and for psychological counseling services.

Effective 01/2014
6.06.05 **PSYCHOLOGICAL SERVICES.** The LPD will refer for counseling any officer who has used deadly force resulting in serious bodily injury or death of a person. The officer's family may attend counseling at the discretion of the officer and counselor.

6.06.06 **INVESTIGATIVE INTERVIEWS.** Involved officers will interview with investigators following firearms discharges in order to immediately begin an investigation. Officers will make a supplement report, a sworn statement to investigators, or both. The Chief or Assistant Chief may allow time for the involved officers to recover from the incident before making a supplement report or sworn statement.

6.07 **FIREARMS REVIEW BOARD**

6.07.001 **APPOINTMENT.** The Chief will appoint a Board of three Lieutenants or above and one officer of the same rank as each involved officer to review all firearms discharges except:

A. To deliver tear gas with on scene supervisor direction;

B. During range practice, officially sponsored marksmanship events, other legal activities, or LPD approved testing;

C. To destroy animals threatening public or officer safety, or which are seriously injured; or

D. Less-lethal rounds that have not caused immediately apparent serious bodily injury or death.

6.07.002 **BOARD REVIEW.** The Board will thoroughly review all investigative reports and may take testimony from officers and witnesses. It will make written recommendations to the Chief concerning:

A. Policy compliance;

B. Tactical and training considerations;

C. Quality of the investigations; and

D. Additional policy considerations.

If the Board finds policy violations, their report becomes a departmental complaint processed through Internal Affairs. The report is for internal LPD use only according to Texas Local Government Code 143.089(g).

Effective 01/2014
PROCEDURE MANUAL

CHAPTER 7

7.00 SPECIAL THREAT SITUATIONS

7.01 PURPOSE: To provide guidelines for situations involving various special threat situations to include hostages, barricaded armed suspects, snipers, bomb threats, aircraft emergencies, emergency operations, and rapid response.

7.02 HOSTAGE/ BARRICADED SUSPECT SITUATIONS

7.02.001 POLICY: The LPD’s primary objective is to resolve situations peacefully through communication. However, the order of priorities is the safety of hostages, other civilians, police officers and, finally, the suspect. This policy is not intended to provide specific procedures for the use of chemical agents, firearms, or the degree of force necessary to resolve these situations. Officers must consider these factors in conjunction with individual circumstances and the requirements of a reasonable, legal course of action.

7.02.002 SPECIAL WEAPONS AND TACTICS TEAM. Shift Commanders will call the Patrol Assistant Chief or SWAT Commander for all these situations.

7.02.003

7.02.004

7.02.005

7.02.006

Effective 01/2014
B. Shift Commanders will have the K-9 Sergeant or a designee notified to respond to the scene to advise on the unit's capabilities.

7.04 AIRCRAFT EMERGENCIES

7.04.001 POLICY. The LPD will respond in any reasonable capacity to assist or direct the resolution of aircraft crashes, hijackings or bomb threats.

7.04.002 AIRPORT DIRECTOR OF AVIATION has administrative control of emergencies at the airport.

7.04.003 FEDERAL AVIATION ADMINISTRATION (FAA) investigates aircraft emergencies. They have exclusive direction of law enforcement activity regarding hijackings. Airport personnel usually notify FAA officials.

7.04.004 FBI Special Agent in Charge of the local office will assume incident command of law enforcement functions for crimes involving aircraft or flight crews when requested by the FAA.

7.04.005 AIRPORT POLICE have primary law enforcement responsibility at the airport unless that is specifically relinquished to another agency.

7.04.006 LPD will provide or assist with crowd/traffic control, site security, or investigative support. The LPD will participate in hazardous tactical operations when requested by the Director of Aviation, Deputy Director or ranking Airport Police officer. Command of tactical operations must remain with the LPD.

7.04.007 FIRE DEPARTMENT has incident command at aircraft crashes until any fire is controlled.

7.04.008 AIRCRAFT CRASHES. The LPD will respond initially with at least two Patrol units and one Patrol supervisor. LPD staff will notify the Patrol Assistant Chief and Shift Commander of any crash.

    1. SUPERVISORS assigned will:

       a. Contact Airport Police to confirm LPD response is needed and determine the required location for LPD units;

       b. Confirm notification of the Patrol Assistant Chief and Shift Commander.

Effective 01/2014
c. Determine the need for additional units; and

d. Report to the Command Post if one has been established.

2. **SHIFT COMMANDER** will respond and command LPD operations until relieved.

**B. OFF-AIRPORT CRASH SITES**

1. **SUPERVISORS** will respond to the scene as directed, confirm notifications of the Patrol Assistant Chief and Shift Commander, and determine the need for additional units.

2. **SHIFT COMMANDER** will respond to the scene, have other necessary personnel notified and:

   a. Establish an outer perimeter to control vehicle and pedestrian entry into the area;

   b. Begin evacuating civilians in the immediate area; and

   c. Establish preliminary staging and news media areas.

3. **INCIDENT COMMANDER** is the Patrol Assistant Chief or highest-ranking officer present. The Incident Commander is in charge of LPD operations and will:

   a. Establish a command post; and

   b. Participate in a Unified Command with appropriate agencies.

7.04.009 **HIJACKINGS**

A. **INITIAL RESPONSE** and LPD responsibilities are the same as for aircraft crashes and hostage/barricaded suspect situations.

7.04.010 **BOMB SITUATIONS.** Officers will respond according to section 7.03 and,

Effective 01/2014
7.05 EMERGENCY OPERATIONS

7.05.001 POLICY. The Emergency Operations Plan is the general guide for operations during major natural or man-made threats which result in activation of the Emergency Operations Center. The LPD will respond to protect lives and property as directed by the Chief or a designee. LPD general responsibilities include warning, evacuation and security.

7.05.002 ASSISTANT CHIEFS AND SHIFT COMMANDERS should generally understand the Emergency Operations Plan.

7.05.003 WARNINGS. Officers will use their vehicle public address system as needed.

7.05.004 OFF-DUTY RESPONSE. Off-duty officers who learn of a natural or man-made disaster that they believe requires their response should try to contact the Communications Center by radio first, then MDC, if available, for instructions. If both systems are down, they should try to contact their supervisor. If this fails, officers should report to the nearest functional fire station and stand by for instructions.

7.06 RAPID RESPONSE SITUATIONS

7.06.001 POLICY. The LPD recognizes the duty to protect citizens by promptly responding to stop suspects who are actively causing death or serious bodily injury.

Effective 01/20
7.07 RISK ASSESSMENT

7.07.001 PURPOSE: To provide Shift and Section Commanders with guidelines to determine the risks involved in, and the appropriate personnel to respond to, barricaded suspect situations or warrant service.

7.07.002 RISK ASSESSMENT. Shift and Section Commanders will use the LPD Risk Assessment Checklist for this.

Effective 01/2014
PROCEDURE MANUAL

CHAPTER 8

8.00 PATROL PROCEDURES

8.01 DOMESTIC DISTURBANCES

8.01.001 PURPOSE. To provide guidelines for dealing with disturbances between family or household members that may include family violence.

8.01.002 POLICY. The LPD response to domestic disturbances include necessary and legal steps to protect those involved, the officers responding and the public peace. Officers will determine if a crime has occurred and make arrests when appropriate. They will try to reduce the frequency and seriousness of these incidents by giving advice about available shelter and community services for victims.

8.01.003 BACKUP. Officers should not intervene without backup unless they believe someone will be seriously injured without immediate response.

8.01.004 THIRD PARTY CALLS. Officers should not tell disputants a third party called. They will not identify a reporting party. If a breach of the peace has occurred, officers should tell reporting parties they may file charges.

8.01.005 ENTRY INTO RESIDENCES

A. LOCKED OUT PARTY. Officers will not help them force entry.

B. ONE PARTY REQUEST. Officers may enter if one party asks, even if others object. They may stay until consent is removed per 8.01.005 (D) or they believe no offense will occur when they leave.

C. OFFICERS REFUSED ENTRY. Officers will not enter without permission unless they reasonably believe they must immediately enter to prevent imminent bodily injury or give emergency aid.

D. CONSENT REMOVED. Officers will leave when all parties voluntarily ask them to, or if one party asks them to and another does not specifically ask them to stay. However, if reasonably necessary, officers shall stay to verify the violation of a protective order or if they have probable cause to believe they are needed to prevent an assault or other offense.

Effective 01/2014
ARRESTS are controlled primarily by the statutory authorities to arrest in the CCP. Officers will follow all requirements in the CCP and LPD policy.

A. ASSAULT IN OFFICERS’ PRESENCE. Officers may arrest when an assault, including threats to cause imminent bodily injury, occurs in their presence. Officers will arrest if the assault causes serious bodily injury or involves a deadly weapon.

B. ASSAULT PRIOR TO OFFICER ARRIVAL. Officers may arrest for an assault occurring before they arrive if they have probable cause to believe the person:

1. Caused bodily injury and will cause more; or
2. Caused bodily injury to a member of his family or household;

C. OFFICERS ASSAULTED. Officers may arrest when they are assaulted. They should arrest when the person causes them bodily injury or substantially interferes with their duties.

D. VIOLATION OF PROTECTIVE ORDER. Officers may arrest when they have probable cause to believe a person violated a protective order and the offense did not occur in their presence. They will arrest when the offense occurs in their presence. They may not arrest for violation of a Temporary Ex Parte Protective Order.

Reconciliation or agreements by the parties to the order do not nullify the order or officers’ duties to enforce it.

E. INTOXICATION. Officers will not arrest anyone only for intoxication within a residence.

FAMILY VIOLENCE

A. REPORTS. Officers investigating family violence offenses will:

1. Make a detailed report including whether or not victims will assist with prosecution. They should not ask if victims will file charges. If officers make an arrest, they will include in the report their opinion about the possibility of the arrested party further injuring victims unless there is an extended separation.

2. Check TCIC to determine if the location of the incident or call, or the address of anyone involved in the incident or call, matches the
address of a current licensed foster home or a verified agency foster home. Officers will include details in their reports.

3. Complete a Family Violence Form;

4. Issue a Crime Victim’s Bill of Rights manual; and

5. If appropriate, issue a Texas Crime Victim’s Compensation form.

8.01.008 MISCELLANEOUS

A. WEAPON SEIZURES. Officers may seize weapons present at domestic disturbances if they have probable cause to believe the weapons are evidence in a crime or reasonably believe someone may use the weapons in the dispute. Officers will issue a receipt for the weapons and submit them to the Property Room.

B. COMMUNITY PROPERTY. Officers will not decide community property disposition. They will treat property damage as criminal mischief and use appropriate enforcement.

C. CHILD CUSTODY. If one parent alleges the other is violating a child custody court order, officers should warn both parents of possible civil and criminal action and suggest contacting attorneys. Officers may also make an offense report.

8.02 DISORDERLY CONDUCT

8.02.001 PURPOSE: To provide guidelines for dealing with disorderly conduct or breaches of the peace and related offenses. This section applies when disorderly conduct is the only offense. It does not apply in riots or when there is probable cause to arrest on a more serious charge.

8.02.002 POLICY. The LPD’s main priority is keeping the public peace and preventing disturbances instead of punishing offensive conduct. Officers will protect first amendment rights to free speech and will not stop anyone from using this freedom only because someone else disagrees.

8.02.003 BREACHES OF THE PEACE are acts involving violence; those likely to provoke violence; and those that disturb or threaten to disturb the peace, including loud music. Texas Penal Code Section 42.01 (a) (1), (2) and (4) prohibit "fighting words" or gestures identified by the courts as those plainly tending to incite an average person to violence.

Effective 01/2014
8.02.004 RESPONSE. Officers will be impartial. They should also be firm but tactful and polite, trying to reduce tension. Officers should consider the situation, purpose and urgency when deciding on response. They may issue citations for Class C misdemeanors with appropriate reports.

Officers should use the least intrusive response appropriate but are never required to use levels of response that would unreasonably endanger the public or officers. Officers may arrest when necessary.

8.02.005 REPORTING. Officers will fully describe in Case Reports:

A. The suspect's exact words, if any;
B. The volume of the suspect's voice or noise produced, if any;
C. The suspect's gestures, especially those showing the suspect might use violence;
D. Anyone toward whom the suspect directed these actions;
E. The location of the offense, including witnesses or victims;
F. Any responses by witnesses or victims, especially those showing they might use violence.

8.03 MENTALLY ILL PERSONS
8.03.001 PURPOSE: To set guidelines for dealing with mentally ill persons.

8.03.002 POLICY. The LPD will intervene in situations involving mentally ill persons; take lawful action to protect everyone involved; stabilize situations; and help get proper medical or psychological attention for the mentally ill person.

8.03.003 INITIAL CONTACT. If feasible, officers should:

A. Learn about the person and situation by talking with the person and others who may have information;
B. Remain calm, objective and non-threatening to help calm the person;
C. Not deceive the person, which may worsen the situation; and
D. Never leave the person alone until convinced the threat of harm has been resolved.

Effective 01/2014
8.03.004 **ARREST.** Insanity is only an affirmative defense to prosecution. Officers should arrest when there is probable cause, according to LPD policy.

8.03.005 **OTHER OPTIONS.** Officers finding a mentally ill person who needs or wants help should:

A. Find responsible friends or relatives to care for the person and tell them how to get a commitment warrant;  
B. If asked, tell the person about voluntary hospitalization;  
C. Contact STARCARE to determine if the person is a client;  
D. Ask STARCARE for help getting a commitment warrant or to assess the need for emergency detention; or  
E. When necessary, make an emergency detention.

8.03.006 **EMERGENCY DETENTION.** Officers may take a person into custody without a warrant if they reasonably believe the person is mentally ill, poses a substantial risk of serious harm to himself or others unless immediately restrained, and there is not sufficient time to get a warrant.

They may base that belief on:

A. The report of a credible person;  
B. The conduct of the apprehended person; or  
C. The circumstances in which the apprehended person is found.

Officers will have detained persons immediately taken to the designated emergency mental health facility and complete an Application for Emergency Detention. Officers should follow the most recent emergency detention procedures memorandum prepared by the Patrol Assistant Chief for current protocol on emergency mental health facilities, assessments and transportation.

The detained person must be informed orally by the officer in simple, non-technical terms of the reason for the detention and that a staff member of the accepting facility will inform the person of the person’s rights within 24 hours after the time the person is admitted to a facility.

8.03.007 **ABSENT PATIENTS.** Officers finding persons believed to be absent from mental facilities should notify the facility to send someone for the person.

Effective 01/2014
RETURN UNDER COURT ORDER. The administrator of a mental facility, including the State Supported Living Center, may ask a magistrate to order the return of an absent patient. The court order may direct any peace officer in the state to take the patient into custody and return the patient to the facility.

A. LPD officers who have detained an absent patient and are notified of such an order will take the patient into custody and should request EMS to take the patient to a local facility.

B. Although officers may take a patient into custody without a copy of the court order, LPD staff first notified of an order will ask the notifying agency to provide a copy to the LPD. Officers will attach a copy of the orders to their report.

C. LPD staff who are asked to notify other law enforcement agencies about court orders for the return of patients absent from local mental facilities will:
   1. Ask the notifying agency to provide a copy of the order to the LPD;
   2. File the order in Records with the Incident Report; and
   3. In any teletypes to other law enforcement agencies, refer to Health and Safety Code Sections 593.012 and 574.083 authorizing the patient's detention and note the LPD has a copy of the order.

DETENTION IN A NON-MEDICAL FACILITY. In extreme circumstances when a local facility is unavailable to take custody of mentally ill persons, officers should ask the Sheriff's Office to hold the person separated from prisoners. Officers will notify STARCare and the Lubbock County Judge.

REPORTING STATE SUPPORTED LIVING CENTER RESIDENTS AS VICTIMS. When these residents are victims of reported crime, LPD staff will identify them only on supplement reports.

MISSING PERSONS

PURPOSE: To provide guidelines for investigating missing persons.

POLICY. Many reported missing persons leave voluntarily and runaway juveniles tend to repeat. Others, such as young children, elderly, and the mentally or physically impaired, disappear in situations indicating they are at risk. LPD staff will carefully consider all missing persons reports to

Effective 01/2014
identify those who may be at risk. There is no specific time limit to meet before declaring a person missing.

8.04.003 INITIAL CALL TAKING. LPD staff taking missing persons calls will gather enough information to determine if the person is at risk. That includes age, time and place last seen, anyone with whom the person was last seen, physical and mental condition, circumstances of the disappearance, the relationship between the caller and missing person, and why the reporting party is concerned. Staff will also get a detailed physical description of the missing person, anyone with whom they were last seen and any vehicle associated with either person.

8.04.004 AT RISK MISSING PERSONS. Dispatchers will immediately assign an officer to these calls.

Officers who cannot find an at-risk missing person within a reasonable time will call for more officers and the Shift Commander. The Shift Commander will control the operation and use the resources needed to find the person. If needed, the on-coming shift will continue the search.

Officers will not stop the search until they find the person or until directed by the Chief or an Assistant Chief in the Chief’s absence.

8.04.005 ABDUCTED CHILDREN. Dispatchers will immediately assign an officer and supervisor to these calls. Officers will try to confirm an abduction with

The PIO will immediately give this information and an LPD contact phone number to media members and ask them to publicize it quickly. The Juvenile Supervisor will determine if Amber Alert criteria have been met.

8.04.006 RUNAWAY ADULTS. Staff taking reports on these runaways will complete a Missing Person Report form and write “Runaway Adult” on the top of the form.

Officers who locate runaway adults must take them into custody and release them only to a parent, legal guardian or Child Protective Service employee. This custody is not an arrest but is protective custody and officers will not place these persons in the Lubbock County Juvenile Justice Center or any other secure facility.

Effective 01/2014
Officers taking these persons into custody will write a supplement to the original report including the circumstances of the custody, who the person was released to and which dispatcher was notified to remove the person from TCIC/NCIC.

8.05 MAJOR CRIME SCENES/ FIRST RESPONSE

8.05.001 PURPOSE: To provide guidelines for officers responding to major crime scenes.

8.05.002 POLICY. The first response to major crime scenes often determines the success of the following investigation. Officers responding to major crime scenes will carefully protect the scene and conduct initial investigations that help follow-up investigators.

8.05.003 MAJOR CRIMES are homicides, aggravated assaults, sexual assaults, business robberies, kidnappings, any crimes resulting in life-threatening injuries or others that a Shift Commander believes require immediate response by Investigators.

8.05.004 FIRST OFFICER RESPONSIBILITIES

A. Check for victims and their condition and call for EMS;

B. Identify witnesses and ask them to stay at the scene;

C. Arrest or detain suspects if possible;

D. Notify Communications of all fleeing suspect information;

E. Notify a supervisor;

F. Protect the crime scene and assign backup officers to help protect the scene, including one to control access; and

G. Complete the initial Case Report, including elements of the crime, but recording detailed information and evidence in supplement reports.

8.05.005 SUPERVISORS will assume control of the scene, assign officers as needed, and notify the Shift Commander. Shift or Section Commanders may authorize calling out personnel from other divisions.

Investigations supervisors on the scene will assign their personnel and decide when to notify District Attorney and Medical Examiner personnel.

Effective 01/2014
8.05.006 **CRIME SCENE ACCESS.** Only personnel necessary for investigating and processing crime scenes will enter scenes. The officer controlling access will only allow authorized persons to enter. This officer will record in a supplement report who enters and leaves and the date and time.

8.05.007 **PROTECTING EVIDENCE.** First responding officers and supervisors will ensure no evidence, including bodies, is disturbed unless items endanger officers. When feasible, they will avoid touching or moving items, walking in, or otherwise altering or contaminating the crime scene.

8.06 **CRISIS TEAM**

8.06.001 **PURPOSE:** To give information about and set guidelines for using the LPD Crisis Team.

8.06.002 **POLICY.** The LPD recognizes the need to provide help beyond that available from police officers for victims and witnesses of crime and trauma, their families and the mentally ill. The LPD provides this help through the volunteers of the LPD Victim Services Crisis Team.

8.06.003 **TYPES OF INCIDENTS.** Officers may call the Crisis Team to respond to:

A. Major crimes as defined in 8.05.003;

B. Any death;

C. Child or elder abuse or neglect;

D. Family violence;

E. Mentally ill persons, including attempted suicides; or

F. Any other situation officers believe would benefit from Crisis Team response.

8.06.004 **ON-SCENE PROCEDURES**

A. Team members will notify the ranking officer when they arrive on scene for briefing.

B. Team members will wait for officers to complete their contact and release persons to Team members.

C. Officers will leave Team members on-scene only when any suspect is in custody and all agree the scene is safe.

Effective 01/2014
D. If the scene is not safe and officers must return to service, they may have Team members take victims or witnesses to a safe place for their intervention.

E. Officers will ask Team members to take children only to:

1. The LPD to meet CPS workers, LPD investigators or relatives given custody;
2. An Emergency Children’s Shelter;
3. Child Protective Services; or
4. A relative or someone chosen by the child’s custodian.

F. Officers will not ask Team members to take over officers’ duties under 5.04 CCP in family violence situations.

G. The ranking officer at the scene is in charge. Officers and Crisis Team members should report any problems to the Crisis Team Sergeant.

8.07 MOBILE VIDEO RECORDERS (MVRs) and AUDIO RECORDERS

8.07.001 PURPOSE: To provide guidelines for using mobile video and audio recording equipment.

8.07.002 POLICY. Recorders are valuable tools for prosecuting traffic and other offenses, evaluating officer performance, training, and reconciling allegations of officer misconduct. The LPD uses recorders to help officers better document actions, conditions and statements during events to which they respond. The LPD also uses recorders to better review arrests and citizen interactions for training and complaint investigation. Officers will use this equipment according to the following procedures.

8.07.003 MAINTENANCE. Officers will:

A. Maintain recorders according to manufacturer’s recommendations;
B. Check equipment for proper operation before their shift; and
C. Report any malfunctions to their immediate supervisor and have repairs made as soon as possible.

8.07.004 MVR OPERATION. In-car MVRs automatically activate with the vehicles’ emergency lights and sirens. Officers may also manually activate MVRs.

Effective 01/2014
separately from their emergency lights and siren. Officers may manually stop MVRs during non-enforcement actions like protecting accident scenes.

A. Officers will document the reason for any manual stop on call sheets.

B. Officers will use MVRs video and audio to record all law enforcement calls or activities upon their arrival at the scene, including:
   1. Traffic stops;
   2. Disturbances, crimes in progress or investigations;
   3. Suspects during interviews, sobriety checks or when in custody;
   4. Collecting or documenting evidence; or
   5. When they reasonably believe a recording might be useful.

C. Officers will document MVR use or non-use in reports.

D. Officers should notify their supervisor when a video is useful for training.

E. Officers will make the best recordings possible by:
   1. Positioning the camera to capture as much of the event as possible;
   2. Not stopping the MVRs video or audio until the event is over; and
   3. Making sure their wireless microphone is on and not interfering with other officers’ microphones.

F. Officers will ensure they have adequate recording media and microphone batteries for their shift.

**8.07.005** **AUDIO RECORDER OPERATION.** Officers using audio recorders will follow requirements for MVR operation, as applicable.

**8.07.006** **RECORDING CONTROL AND MANAGEMENT**

A. LPD staff will follow LPD procedures for chain of custody and evidence protection as appropriate for the recording media.

Effective 01/2014
B. LPD staff may only release copies of recordings to criminal justice agencies or in compliance with the Texas Public Information Act. All other purposes must have approval by the Chief or an Assistant Chief.

C. LPD staff may only remove recording media from recorders, listen to, view or copy recordings for official LPD business.

D. Recordings uploaded to the server and not marked as evidence will be purged after 6 months.

E. Recordings marked as evidence will be kept on the server until the case has a final disposition.

F. Officers will not delete or alter recordings.

G. Officers will only use LPD issued recording media.

H. Officers will properly mark recordings as evidence, as appropriate.

I. Officers will upload recordings of arrests, pursuits, or major crimes before the end of their shift and all other recordings prior to scheduled leave or days off.

8.07.007 SUPERVISOR RESPONSIBILITIES. Supervisors will:

A. Confirm that officers in their command follow procedures for recorder use, maintenance and documentation;

B. At least bimonthly, randomly review recordings to assess officer performance, proper equipment use and identify potential training material. They will document this on vehicle inspection reports; and

C. Confirm that damaged or inoperable equipment is repaired.

8.08 CIVIL DISTURBANCES

8.08.001 PURPOSE: To provide guidelines for dealing with groups engaged in, or threatening violence, property damage or breaches of the peace. This includes groups using passive resistance and refusing to vacate areas.

8.08.002 POLICY. LPD response to disturbances will be appropriate to the level of disturbance. It will be rapid, organized and disciplined, removing any incentive or encouragement for groups to continue.
The response is intended to protect persons and property and restore order to the community by dispersing disorderly groups.

Effective 01/2014
8.08.006 MOBILE FIELD FORCE LEADER will:

A. Advise the on-scene commander.

B. Make decisions regarding tactics of the Field Force, including use of chemical agents or smoke.

C. Assign an officer to video use of force procedures, especially arrests, that are not recorded by MVRs.

D. See that appropriate reports are made for MFF actions, including arrests and chemical agent use.

E. Inventory and request replacement of expended supplies/equipment.

MOBILE FIELD FORCE PROCEDURES are based on training and under the direction of the MFF leader.

A. ACTIVATION. Activated MFF officers will report to the LPD briefing room for assignment and equipment unless the MFF leader directs otherwise.

B. EQUIPMENT. MFF officers will carry issued MFF uniforms and equipment in their police vehicles ready to use at all times.

C. USE OF FORCE. MFF officers will follow LPD use of force policy. The following progression of force is recommended to disperse groups:

Effective 01/2014
5. **ARREST** as the MFF leader directs. The MFF sergeant assigned as the MFF leader’s executive officer will note the details for reports on each arrest. The Executive Officer will identify each arrestee as A-1, A-2, etc., and will notify the arresting officers of their prisoner’s designation.

D. **ARRESTEES.** Officers will take arrestees to the transport van. Crime Scene Officers will photograph each arrestee with their arresting officer. Each photo will identify the arrestee by their designation (A-1, A-2, etc.), name, DOB, time of arrest, charge and arresting officer. Officers will attach that information to the arrestee to ensure proper booking.

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**8.09 ALARM RESPONSE**

**8.09.001 PURPOSE:** To provide more effective and efficient use of Patrol staffing by reducing time spent responding to recurring false alarms. Responding to these false alarms interferes with response to legitimate calls for service.

**8.09.002 POLICY.** The LPD follows City Ordinance 2001-00087 regarding false alarms.

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**8.09.003**

**8.09.004**

Effective 01/2014
B. REPRESENTATIVES NOT RESPONDING. If alarm companies report that representatives will not respond to burglar alarms, dispatchers will notify alarm companies that they will classify other alarms within 24 hours as priority five (5) unless a representative responds.

C. WEATHER-RELATED ALARMS. Officers will respond to these at the Shift Commander’s discretion. LPD staff will not consider these as false alarms to restrict response during the following 24 hour period.

8.09.006 CALLSHEET INFORMATION. Alarm users are not penalized under the ordinance for alarms caused by several events identified in the ordinance. Officers will mark alarm calls with the appropriate designation on the call disposition.

8.10 ROBBERY/ PANIC ALARMS

8.10.001 PURPOSE: To provide guidelines which protect the public and officers during LPD response to these alarms.

8.10.002 POLICY. Although the majority of these alarms are false, legitimate alarms are particularly dangerous for customers, the general public and responding officers. The LPD will respond to these alarms in a way that reduces the danger as much as possible.

8.10.003 FIRST RESPONSE. The first officer to arrive will notify dispatch on arrival.

Effective 01/2014
8.11  SUSPECTED BIOHAZARDOUS MATERIAL AND CLANDESTINE LABORATORIES.

8.11.001  **PURPOSE**: To provide guidelines for processing material that appears to contain biohazardous substances.

8.11.002  **POLICY**. The LPD recognizes the potential for serious harm to citizens and officers from materials that contains biohazardous substances. The LPD will work with other agencies and City Departments to minimize this potential while preserving suspicious items as evidence, cleaning the scene and disposing of waste items in a safe manner.

8.11.003  **CALL-TAKERS** should ask reporting parties the following questions and relay the information to responding officers and the Fire Department’s Haz-Mat Team:

A. Why do you suspect the item is hazardous?

B. Did the item come from?

C. When did you receive the item and how?

D. What size is it?

E. Who else touched the item, your hands or clothing and where are they now?

F. Has anything fallen from the item or has anyone removed anything from it?

G. What surfaces or other things have been exposed to the item?

H. Has any person or animal shown signs of illness?

I. What other official or agency has anyone reported this to?

8.11.004  **INFORMATION FOR REPORTING PARTIES**. Call takers should tell reporting parties:

Effective 01/2014
A. Not to open, shake or empty the item;
B. Not to smell or taste the item or contents;
C. Not to let others enter the area or inspect the item;
D. Not to let anyone who has been around the item leave the immediate area;
E. To have someone turn off any fans and/or the ventilation system; and
F. To remain calm and wait for Public Health responders to give further advice.

8.11.005 FIRST RESPONDING OFFICERS will:
A. Confirm that dispatch has notified the Fire Department’s Haz-Mat Team to respond, set a perimeter and stand by for their arrival at the scene.
B. Request a supervisor to respond to the scene.
C. Tell uncontaminated persons to stay outside the potentially contaminated area.
D. Wear protective gear, including facemasks, eye shields and latex gloves when entering potentially contaminated areas to meet reporting parties.
E. Confirm there is a package the reporting party believes is suspicious;
F. Once inside a potentially contaminated area, remain there until the Haz-Mat Team instructs otherwise.
G. Document actions and investigation in appropriate reports.

8.11.006 SUSPECTED CLANDESTINE LABORATORY CALLS
A. Officers on scene will consider:
   1. Evacuating structures and neighboring structures and setting a perimeter of 100 to 500 feet;
   2. Not touching electrical switches or causing static electricity;

Effective 01/2014
3. Staying upwind of the scene.

B. Patrol shift commander will notify Narcotics section commander, who will assign narcotics officers trained in handling and investigating clandestine laboratories.

C. The LPD and LFD will coordinate efforts for a safe response.
PROCEDURE MANUAL
CHAPTER 9

9.00 TRAFFIC ENFORCEMENT

9.01 PURPOSE: To provide guidelines for traffic law enforcement and accident investigation.

9.02 POLICY. Officers will uniformly enforce traffic laws based only on the seriousness of the offense and conditions present. Officers will not base enforcement decisions on a violator's status.

9.03 CITATIONS

9.03.001 VIOLATOR CONTACT. Officers will be polite and not argue with violators. If asked about penalties, they will refer the person to Municipal Court.

9.03.002 INSTANTER CITATIONS require supervisor approval unless there are warrants or other more serious charges on the violator. Officers should instanter citations when violators cannot adequately prove their identity.

Officers will not instanter traffic citations for:

A. Violations outside the officer's presence;
B. Violations by a juvenile; or
C. Speeding or open container violations. If a violator refuses to sign, the officer will write that on the citation.

Officers will take violators who receive instanter citations or who refuse to sign citations (including "C" above) immediately to the Municipal Court judge during business hours or the Desk Sergeant after hours.

9.03.003 CITATIONS IN FATALITY ACCIDENTS. Officers will not issue citations if a fatality has resulted or appears probable. Accident Investigation officers may file appropriate charges after the investigation.

9.03.004 VOIDING CITATIONS requires adequate justification and supervisor approval and signature. Officers will mark the citation "void". If the violator has received his copy, the officer will take the original to the Municipal Court Administrator.

Effective 01/2014
ACCIDENTS INVOLVING CITY VEHICLES. City vehicles are those owned by the City or used by officers during assigned LPD duties.

Where a question exists as to whether or not an incident is a traffic accident, the investigating officer will complete, without case numbers, all required City and State accident reports and submit them to the involved officer’s Assistant Chief. The Assistant Chief will determine the incident’s status.

A. INVESTIGATIONS. The LPD will investigate all accidents involving City vehicles.

1. INVOLVED OFFICERS are those driving, or who have parked, City vehicles. They will:

   a. Remain at the scene unless it is unreasonable or they are in pursuit and

      (1) There is no obvious reason to believe anyone has been injured; and

      (2) They believe the need to continue outweighs the need to remain at the scene according to LPD pursuit policy;

   b. Have the agency with appropriate jurisdiction investigate any accident. (If another agency investigates, the officer will get copies of their reports and other pertinent information);

   c. Make no statement about who is at fault to other persons involved;

   d. Not assist the investigator in any way that might prejudice the investigation; and

   e. Refer any citizen complaints to the on-scene supervisor.

2. PATROL SUPERVISORS. A Patrol supervisor will:

   a. Respond to all accidents involving LPD vehicles and, if the City Risk Management Coordinator does not respond, to accidents involving other City vehicles.

   b. Ensure photographs are taken; and

   c. Forward report copies to the involved officer’s supervisor.

Effective 01/2014
3. **INVOLVED OFFICERS' SUPERVISORS** will have a City Motor Vehicle Accident Report and any other required reports completed and sent to their Assistant Chief, Risk Management and Fleet Services Manager.

4. **THE LPD ACCIDENT REVIEW BOARD** will review accident reports and officers' driving history. They will recommend appropriate action to Assistant Chiefs.
ACCIDENT INVESTIGATION

9.04.001 BLUE FORMS may be issued on traffic accidents that meet the criteria for the CR-2 form. Officers will ensure the exchange of information between drivers according to state law, advise drivers of their responsibility under state law, and inform the drivers that the officer is not conducting a formal investigation. The following information will be noted on the call sheet:

A. Drivers license of the involved drivers;
B. License plates numbers of the involved vehicles; and
C. Brief synopsis of the accident along with the officer's opinion on cause of the accident.

When both parties initially agree not to report an accident and one party later requests a report, officers will issue Blue Forms.

9.04.002 HAZARDOUS MATERIALS. Officers should have the Fire Department respond to any accident involving vehicles displaying hazardous materials placards. If a leak has resulted or appears probable, officers will cautiously approach from upwind and:

A. Have the Fire Department notified, identifying the material by placard number;
B. Set a perimeter and evacuate people inside without entering the immediate hazard area; and
C. Postpone further investigation until the Fire Department has approved entry into the scene.

9.04.003 FATALITIES. On-scene supervisors will request Accident Investigators for accidents where a fatality has resulted or appears probable. Accident Investigators will conduct the accident investigation and complete related documents. The assigned shift officer will conduct any associated criminal investigation and complete related documents.

Accident Investigation will submit a summary to the Patrol Assistant Chief.

A. BLOOD TESTING

1. On-scene supervisors will determine if:
a. A fatality or serious bodily injury has resulted or appears probable;

b. There is probable cause to believe an involved driver is intoxicated;

c. There is probable cause to believe the intoxicated driver contributed to the accident because of intoxication; and

d. Officers have asked the intoxicated driver to voluntarily give a breath or blood sample. If the driver gives a voluntary sample, officers will complete applicable DWI documentation and give required copies to the driver.

2. If the on-scene supervisor determines "a-d" above exist, the driver refuses to give a voluntary sample and is uninjured, officers will:

a. Take the driver to University Medical Center and sign any hospital-related forms (the driver may not choose hospitals);

b. Complete required DPS forms and distribute necessary copies to hospital staff member in charge;

c. Furnish a DPS approved blood tube;

d. Restrain the driver while hospital staff draws blood (if they refuse to draw blood, note that and identify them and any witnesses in a supplement report); and

e. Complete the blood tube label and submission form, keep the tube cool and dry and submit it to the DPS lab no later than the next business day.

3. Officers will not forcibly take blood samples if:

a. The hospital has taken a sample for blood alcohol and used a betadine swab. (Tell the staff their test results will be subpoenaed so they can keep the chain of custody);

b. The suspect has gone to surgery before officers arrive. (Use the procedure in "a" above); or

c. The attending physician advises against physically restraining the driver because of injuries.
PROCEDURE MANUAL

CHAPTER 10

10.00 RADIO, MDC AND COMPUTER SYSTEMS

10.01 PURPOSE: To provide guidelines for using the radio, MDC and computer systems.

10.02 POLICY. These systems are integral to LPD operations. The personal safety of officers and citizens, the security of confidential information, and the protection against legal liability depends upon the proper use of these systems. LPD staff will use them prudently, professionally and cautiously, following all local, state and federal regulations.

The Administration Assistant Chief is responsible for these systems.

10.03 ON-DUTY MONITORING. All officers will monitor their assigned radio channel and MDC unless conducting necessary duties on another channel. They will notify dispatch when unable to monitor the radio and again when resuming contact.

10.03.001 PATROL SUPERVISORS will monitor MDC, primary and secondary radio channels as much as possible. They will correct improper MDC and radio communications by officers under their command.

10.04 MISCELLANEOUS-RADIO

10.04.001 BREVITY. Officers and dispatchers will keep all radio traffic as brief as possible and should break long broadcasts into a series of shorter ones. They should use "10-Codes" when possible.

10.04.002 CALLING DISPATCH. Officers will call dispatch using only their unit number. They will not ask the primary channel dispatcher to monitor another channel.

10.04.003 IDENTIFIERS. Officers and dispatchers should only use official identifiers instead of employees' names. Officers will preface all broadcasts on Dispatch 1 and 2, TLETS and Secondary channels with their identifiers. On duty officers will use their assigned call numbers. Off duty officers will use their "Papa" numbers.

Effective 01/2014
10.04.004 **ACKNOWLEDGING BROADCASTS.** Officers and dispatchers should verbally acknowledge all radio broadcasts to them and will also ensure the receiving party acknowledges.

10.04.005 **UNIT TO UNIT TRAFFIC.** Officers will use a "Talk" channel for this when appropriate. Supervisors may conduct special operations on "Command" or "Tac" channels.

10.04.006 **PROHIBITIONS.** Radio and MDC traffic is recorded and the LPD may reveal it for criminal investigations, internal investigations, civil law suits, or Public Information requests. An identifier precedes all radio traffic. Officers and dispatchers will not use unprofessional or unnecessary traffic of any kind, including but not limited to:

A. Profanity;

B. Unlawful or malicious interference with other traffic;

C. Slang or incorrect English;

D. Emotional expressions of humor, anger, sarcasm, etc.; or

E. Personal messages (except in emergencies).

10.04.007 **EMERGENCY TRAFFIC.** Dispatchers will use the alert tone or "10-33 traffic" to announce emergency traffic on a channel. Only involved officers may then use that channel. During lengthy emergencies, normal traffic may move to another channel. The emergency should move to a "Command" or "Tac" channel when possible.

10.04.008 **IN SERVICE.** Beat Officers will go in service after briefing by notifying dispatchers by radio or MDC. Officers will use the same methods for returning to service after completing a call or activity. Dispatchers will verbally announce all units going "10-8" by MDC.

10.04.009 **INFORMATION REQUESTS.** Officers should not ask dispatchers to make phone calls or records checks, or do other tasks unless immediately necessary. They will request records checks on the TLETS channel.

10.04.010 **COMPLAINTS.** Officers with complaints on dispatchers or dispatchers with complaints on officers will send them, in writing, through their chain of command. They will not argue over the radio, MDC, phone or in person.

10.04.011 **MDC MESSAGES.** Officers may send these to any MDC except the primary channel dispatcher's.

Effective 01/2014
10.04.012 MDC VIEWING. Officers will ensure only authorized persons can view their MDC screen, especially when call sheet and TLETS data is displayed.

10.04.013 TCIC/NCIC INFORMATION CHANGES. Officers requesting entry or removal of persons, vehicles or other articles from TCIC/NCIC will identify, by employee number, the dispatcher handling the process. Officers will include this information in the appropriate report and not on the call sheet. Officers may request by phone, radio or MDC.

10.04.014 OFF-DUTY NOTIFICATION. Officers doing law enforcement work off-duty, except for apartment security, will notify dispatch secondary channel by radio or MDC of their papa number, location and 10-41 and 10-42 times. A supervisor may notify dispatch for groups of officers.

10.05 DISPATCHED CALLS

10.05.001 INITIAL TRANSMISSION. Dispatchers will verbally transmit all calls and will send all other information available at the time by MDC.

10.05.002 ANSWERING. Officers will answer promptly with their location when called. Dispatchers will notify an officer's supervisor if the officer does not answer after three attempts at contact or does not answer a priority MDC message. The supervisor will immediately investigate.

10.05.003 ADDITIONAL INFORMATION. The CAD system sends call sheets automatically; officers should not ask for them. Dispatchers will transmit any additional information as soon as possible.

   A. If officers are enroute, dispatchers will re-send the call sheet to responding units and advise that updated information is available.

   B. If officers are on scene, dispatchers will verbally give the information, then update the call sheet.

   C. Dispatchers will verbally transmit officer safety or immediately needed information.

   Officers should not ask for more information after being told there is none. Officers may ask the secondary channel dispatcher to re-contact a complainant, but only when absolutely necessary.

10.05.004 ACKNOWLEDGING MDC CALLS. Officers will use "10-76" on the MDC.

Effective 01/2014
10.05.005 **COMPLAINANT CONTACT.** Officers will contact complainants unless the dispatcher says, "No 10-17." Officers will not ask about representatives for alarms immediately after a call is dispatched.

10.05.006 **ON SCENE.** Officers will note their arrival by radio or MDC with "10-23". Dispatchers will announce units going "10-23" by MDC.

10.06 **OFFICER INITIATED ACTIVITY**

10.06.001 **NOTICE.** Officers will notify dispatch by radio or MDC when they initiate activity that puts them out of service. Officers will verbally notify dispatch when leaving their assigned beat for anything but shift change or a call.

10.06.002 **TRAFFIC STOPS.** Officers will give the location and vehicle license number on traffic stops.

10.06.003 **WANTS/ WARRANTS.** Officers finding wants or warrants by MDC must confirm them through the TLETS dispatcher. Officers verbally requesting checks will use the TLETS channel. Dispatchers will send all warrants to the Desk Sergeant for confirmation.

10.06.004 **BACKUP.** Officers will request backup verbally, not by MDC.

10.07 **GENERAL BROADCAST INFORMATION**

10.07.001 **MAJOR CRIMES/ EMERGENCIES.** Officers will verbally broadcast pertinent information from these on the primary channel. Dispatchers will verbally broadcast this information again, followed by an MDC message with the sequence number.

10.07.002 **NON-EMERGENCIES.** Officers will give this information to the secondary channel dispatcher. Dispatchers will broadcast this information as necessary.

10.07.003 **NOT FOR BROADCAST.** Neither officers nor dispatchers will verbally broadcast locations of watches or names of complainants or witnesses.

10.08 **COMPLETING CALLS**

10.08.001 **CASE NUMBERS.** Officers will assign their case numbers by MDC or request them on the secondary channel before returning to service. Dispatchers will verbally identify which officer they are assigning a case number.

Effective 01/2014
10.08.002 **CALL SHEET UPDATES.** Primary officers on calls will enter additional information and valid disposition codes to the call sheet before returning to service. Dispatch will close the call sheet with that disposition.

10.08.003 **STOLEN VEHICLE NOTIFICATION.** Investigating officers will report stolen vehicles' license and vehicle identification numbers and descriptions to the TLETS channel dispatcher who will enter it into the system.

10.09 **COMPUTERIZED CRIMINAL HISTORY (CCH) INFORMATION** is confidential. LPD staff must handle requests and dissemination properly. Unauthorized request or receipt of CCH information can lead to criminal prosecution.

10.09.001 **AUTHORIZED REQUESTORS.** LPD officers or other LPD authorized staff may request CCHs. "Other authorized staff" are those essential to the proper operation of the criminal history record information system (Title 28 CFR) and should have the computer options needed to access CCH information. Staff without these options are usually unauthorized.

Members of other criminal justice agencies may also request CCHs. These persons should usually be able to directly access CCH information without help from LPD staff.

10.09.002 **AUTHORIZED INQUIRIES** are for criminal justice investigations only, including background investigations on criminal justice applicants. LPD staff will only request CCHs for authorized reasons. Only LPD staff assigned as background investigators may request CCHs for backgrounds.

10.09.003 **HONORING REQUESTS.** LPD staff will only honor requests from authorized requestors for authorized inquiries. They will confirm the authorization of both the requestor and the inquiry. They will report to their supervisor any request they believe is unauthorized.

10.10 **MOBILE FINGERPRINT IDENTIFICATION EQUIPMENT**

10.10.001 **PURPOSE:** To provide guidelines for the use of wireless mobile identification equipment.

10.10.002 **POLICY:** The mobile identification system searches FBI, DPS and LPD fingerprint databases. Use of the equipment will comply with the requirements established by these agencies.

Effective 01/2014
10.10.003  **AUTHORIZED USE:** LPD staff may use the mobile identification system when:

10.10.004

10.10.005  **DOCUMENTATION** of any use of the Mobile ID equipment, the reason for the type of response will be made as one of the following:

A. Call sheet notation;
B. MCI entry; or
C. Case Report.

Effective 01/2014
10.10.006 VOLUNTARY CONSENT may be given by a person to have fingerprints submitted prior to arrest. Voluntary consent may be withdrawn at any time and use of the Mobile ID must stop.

Effective 01/2014
PROCEDURE MANUAL

CHAPTER 11

11.00 NEWS MEDIA RELATIONS

11.01 PURPOSE: To provide guidelines for dealing with news media members and promote cooperative working relations.

11.02 POLICY. The LPD will cooperate with authorized news media to provide factual, public information about LPD activities as long as it does not unduly interfere with LPD operations, infringe upon individual rights or violate the law.

11.03 MEDIA ACCESS. Media members may have reasonable access to LPD operations. On-scene supervisors will determine what access is reasonable. They cannot allow media to enter private property, unsafe areas, or crime scenes.

Only Fire Department officers may grant access to fire scenes.

Media members may only be in secure areas of the LPD when escorted by LPD staff. Meetings and interviews with members of the media that take place at the Police Department should be conducted in the Media Room as much as possible.

11.03.001 IDENTIFICATION. Supervisors may require persons to show proper identification as media members before granting them access to incidents. Officers will treat persons without proper media identification as other bystanders.

11.03.002 PHOTOS/VIDEOS. Media members may shoot these from any area to which they have been given access. Officers should not interfere, but may prohibit lighting when it would hinder an operation.

11.03.003 VICTIM INTERVIEWS. Officers will not keep media members from interviewing victims unless the victims are physically or mentally unable to consent, or the interview would hinder an operation.

11.04 INFORMATION RELEASE

Effective 01/2014
11.04.001 **ON-SCENE STATEMENTS.** The LPD Public Information Officer (PIO) should usually make statements at an incident scene. However, the ranking on-scene supervisor may also make statements or delegate this responsibility to another supervisor.

11.04.002 **INTERVIEWS.** Officers must have prior approval from a Shift or Section Commander to give interviews about LPD operations, activities or policies when those interviews give the impression the officer is speaking for the LPD.

11.04.003 **AUTHORIZED INFORMATION.** Supervisors should, as soon as feasible, release the following about criminal investigations that are of interest:

   A. Detailed offense descriptions, including time, date, location, victim identification and description, except as stated in 11.04.004.

   B. Facts about arrests made during a 24-hour period, including arrested identification, time, date, location, pursuit, resistance, weapons, charges, transfers or releases;

   C. Names of investigating and arresting officers if relevant and if giving names will not jeopardize undercover investigations; and

   D. A general description of seized evidence unless it is evidence only a suspect would know and if it may be used to corroborate statements or other evidence.

11.04.004 **UNAUTHORIZED INFORMATION.** LPD staff will not release the following:

   A. Witness identification or description;

   B. Sexual assault victim identification or description;

   C. Possible witness testimony or credibility;

   D. Existence or contents of any statements;

   E. Opinions about suspects or evidence;

   F. Personal history or arrest records;

   G. Names of deceased or seriously injured persons prior to notifying next of kin;

*Effective 01/2014*
H. Results of breath, blood, polygraph or ballistic tests, fingerprint comparisons, photo spreads or line-ups;

EXCEPTION: Results of breath or blood tests of drivers involved in traffic accidents are required on the State accident report form and are public information unless the driver is a juvenile.

I. Information that violates a person's right to privacy or is confidential according to federal, state, or local laws, rules or regulations;

J. Information known to be false or indicating a reckless disregard for the truth;

K. Information that impedes officers of any law enforcement agency from performing their duties or creates conflict in the LPD.

L. Information or statements about ongoing investigations, incidents or pending enforcement actions unless this chapter or the appropriate Assistant Chief authorizes.
PROCEDURE MANUAL
CHAPTER 12

12.00 JUVENILE PROCEDURES/ INVESTIGATIONS

12.01 PURPOSE: To provide guidelines for handling child abuse or neglect investigations and for processing juvenile offenders.

12.02 POLICY. The LPD will thoroughly investigate all reports of child abuse or neglect. It will take lawful, appropriate action to protect child victims and successfully prosecute their abusers. The LPD understands juvenile offenders have additional rights and protections under the law. It will take appropriate action to protect both juvenile offenders and the public.

12.03 CHILD ABUSE includes acts or omissions, classified as crimes under the Penal Code, by a parent, guardian or other adult responsible for a child when that child is the victim.

12.04 CHILD NEGLECT includes acts or omissions less than child abuse but that deprive a child of essential needs or care.

12.05 GENERALLY. Officers should watch for signs of child abuse or neglect including suspicious injuries, behaviors or illnesses. Child victims may be unable or reluctant to confirm abuse or neglect for many reasons. Officers should initially obtain information for reports from outcry witnesses and reporting parties and limit interviews of child victims to the basic information needed for a preliminary investigation.

When sexual abuse is alleged, officers should pay close attention to a child’s statements, difficulty walking or sitting, or any other signs supporting the allegation.

12.06 REPORTING CHILD ABUSE/ NEGLECT. Officers with reason to believe a child’s mental or physical health or welfare may have been or may be affected by abuse or neglect will make a complete written Case Report. LPD staff who receive reports of child abuse or neglect will get the following information, if available:

Effective 01/2014
A. Name, age, address and condition of the victim;

B. Name and address of the parents or persons in charge of the child and identities of any siblings living in the same home; and

C. Details of the incident or injury that prompted the report.

12.07 RESPONSE/INTERVENTION

12.07.001 RESPONSE MANDATORY. Officers must respond to reports of child abuse or neglect regardless of how they learn of the abuse or neglect.

12.07.002 BASE OF ACTION. Officers responding to reported child abuse or neglect should act based on:

A. Their assessment of the child's injury;

B. Potential risk to the child;

C. Social agencies available to help the officer; and

D. Community standards.

12.07.003 CHILD NEGLECT. Officers finding signs of child neglect that do not require emergency removal, such as unsafe environmental conditions or lack of supervision should:

A. Speak to the child's parents or guardians about the child's safety;

B. Encourage parents or guardians to get necessary medical treatment for the child;

C. If asked, tell parents or guardians about possible community resources to help with child care;

D. If appropriate, warn parents or guardians about criminal penalties for child abuse; or, if no adult is available,

E. Have a supervisor present before entering the home;

F. Find the parents or persons with custody of the child; and

G. When feasible, arrange for temporary care in the home with a responsible adult relative or neighbor, so the child may remain in a familiar environment.

Effective 01/2014
12.07.004 INTERVENTION MANDATORY. Officers must intervene for a child, in the home or not, when:

A. A child has suffered serious bodily injury because of neglect or abuse;

B. Officers reasonably believe a child is in immediate danger of physical injury;

C. A child has been sexually abused; or

D. A child needs immediate medical attention to prevent death, disfigurement or major physical harm and the parents are unwilling to provide, or unavailable to consent to, treatment.

12.07.005 INTERVENTION OUTSIDE THE HOME. Officers finding a child in distress outside the home should:

A. Identify the person in charge of the child;

B. Notify them of the child's condition;

C. Return the child to them; or

D. If appropriate, send the child to a medical facility where the person in charge of the child can consent to treatment.

If the child refuses to return home or someone in charge of the child cannot be reached, officers should call Child Protective Services (CPS).

12.07.006 NON-EMERGENCY MEDICAL TREATMENT. If officers reasonably believe a child with signs of abuse needs non-emergency medical treatment, they should try to get permission from someone in charge of the child. If refused, officers should call CPS.

12.08 CRIMINAL INVESTIGATION/ SOCIAL AGENCY COOPERATION

12.08.001 INFORMATION FROM CHILD PROTECTIVE SERVICES. Investigating officers may get from CPS:

A. Results of any civil investigation of the family;

B. Plans to return the child to their home or to close an investigation;

C. Notice of court action removing the child from the home;

Effective 01/2014
D. Notice of a CPS worker removing the child from home before obtaining a court order; and

E. A complete written report when sufficient grounds exist for CPS to file a suit affecting the parent-child relationship.

12.08.002 CHILD INTERVIEW. Officers may ask CPS or Child Advocacy Center (CAC) workers for assistance interviewing a child victim or witness.

12.08.003 ASSISTANCE PROHIBITED. Officers will not ask a CPS or CAC worker to get evidence from other sources or to question any other person.

12.08.004 REPORTING PARTY IDENTITY. Officers will not identify the reporting party to anyone under investigation for child abuse.

12.09 EMERGENCY REMOVAL

12.09.001 REMOVAL WITHOUT CONSENT. Officers will only remove a child from the home without parents’ or guardians’ consent and without a court order when they have probable cause to believe the child faces immediate danger to physical health or safety and there is no time to get a court order. Officers will immediately notify a supervisor and CPS. They should have a CPS worker on scene.

12.09.002 ENTRY—PRIVATE PREMISES. Officers will try to enter peacefully. However, they may use reasonable force to enter and remove a child in an emergency, such as when officers reasonably believe a child is in immediate danger of serious bodily injury or to give emergency aid.

12.09.003 AFTER REMOVAL of a child, officers should send the child to a medical facility for examination, if needed, and ask CPS to get a court order for treatment.

12.09.004 REPORT. Officers who remove a child must immediately make a report of the removal, details of any physical injury, threats to safety or of physical injury and the names of those involved.

12.10 JUVENILE OFFENDER PROCESSING.

12.10.001 JUVENILES UNDER TEN YEARS OLD. Regardless of the offense, officers will not process any juvenile under ten years old. They will release them to a parent, guardian, or other responsible adult.

Effective 01/2014
12.10.002 **PROCESSING REQUIRED.** Arresting officers will process juvenile offenders when there is probable cause to believe they have committed a Class B misdemeanor or higher offense. Officers must follow the processing procedure regardless of whether the juvenile offender is released to a parent/guardian or placed into the Lubbock County Juvenile Justice Center (LCJJC) for detention.

12.10.003 **PROCESSING LOCATION.** Officers will process juvenile offenders at the certified juvenile processing room of the Juvenile Section.

12.10.004 **REQUIRED INFORMATION.** LPD staff will collect juvenile offender information required by Section 58.104, Texas Family Code.

12.10.005 **CUSTODY TIME LIMITS.** Officers may hold juvenile offenders no more than six (6) hours. By the end of that time, they must be released to a parent, guardian, other responsible adult or the LCJJC, if appropriate.

12.10.006 **JUVENILES KEPT FROM ADULTS.** Officers will not detain, commit, or process juvenile offenders anywhere with adults ARRESTED, CHARGED, or CONVICTED of a crime. Officers will not allow personal contact between juvenile and adult offenders.

12.10.007 **STATEMENTS BY JUVENILE SUSPECTS.** Unless they have the appropriate training and experience, Officers will not take written statements of accused from juvenile offenders without the help of a Juvenile Section investigator.

12.10.008 **FINGERPRINTS/ PHOTOS NOT REQUIRED.** Officers will not fingerprint or photograph juvenile offenders arrested for:

A. Class C misdemeanors;

B. Runaway or truancy;

C. Violations of probation; or

D. Directives to Apprehend.

12.10.009 **JUVENILE OFFENDERS FROM OTHER JURISDICTIONS.** If officers arrest offenders the LCJJC will not accept because they are from other jurisdictions and officers cannot find parents or guardians, a Patrol Shift Commander may ask Communications to contact the Juvenile Section Commander or designee. The Section Commander will have an investigator take charge of the offenders, determine if they are under Juvenile Court jurisdiction and make case dispositions.

Effective 01/2014
12.10.010 POST - PROCESSING RELEASE OF JUVENILE OFFENDER. After processing, officers will release juvenile offenders to parents or guardians instead of placing them into LCJJC when the juvenile offender does not meet the acceptance criteria 12.11.001.

12.11 LUBBOCK COUNTY JUVENILE JUSTICE CENTER

12.11.001 ACCEPTANCE CRITERIA. Generally, the LCJJC may accept only offenders who have committed Class B misdemeanor or higher offenses.

The LCJJC will accept those arrested for non-jurisdictional offenses such as truancy or being a runaway from another state, or Class C misdemeanors if:

A. There are, also, Class B misdemeanors or higher charges;

B. The offender is on official probation, parole or court ordered supervision from any jurisdiction; or

C. The offender is scheduled to appear in Juvenile Court in any jurisdiction.

12.11.002 REPORTS TO LUBBOCK COUNTY JUVENILE JUSTICE CENTER. Officers will give LCJJC staff a complete copy of the Case Report when they take them a juvenile offender.

12.12 FIELD RELEASE CITATIONS. Officers may issue field release citations when a child:

A. Possesses alcohol;

B. Commits a traffic offense and is fourteen years old or older; or

C. Commits a Class C misdemeanor and is ten years old or older.

12.12.001 REPORT REQUIRED. Officers will write a Case Report for any Class C misdemeanor offense except traffic.

12.13 JUVENILE SECTION CALL OUT

12.13.001 CALL OUTS. Commanders will initiate a Juvenile Section call out for:

A. All infant deaths;

Effective 01/2014
B. Serious child physical or sexual abuse that has just occurred;
C. Juvenile-related offenses involving serious injuries or homicide;
D. Missing children under 10 years old after all reasonable attempts to find the children are exhausted; or
E. When Commanders believe they need Juvenile Investigators.

12.13.002 PROCEDURE. Commanders initiating a Juvenile Section call out will notify Communications. Dispatchers will notify the Juvenile Section Commander, or designee, of requests for Juvenile Section call outs. The Section Commander will determine the appropriate response and ask dispatchers to call investigators.

Effective 01/2014
PROCEDURE MANUAL
CHAPTER 13

13.00 BLOOD BORNE DISEASES

13.01 PURPOSE: To provide guidelines and information about dealing with exposure to blood borne diseases, including HIV/ AIDS and Hepatitis, and the confidentiality rights of persons who have, or are believed to have, contracted these diseases.

13.02 POLICY. The LPD provides safety procedures and information for its staff to minimize their risk of contracting certain blood borne diseases. The LPD protects the confidentiality of medical information regarding blood borne diseases.

13.03 INFECTION CONTROL

13.03.001 GROUP I SUBSTANCES are blood, semen, vaginal secretions, and fluids surrounding fetuses, the brain, spinal cord, joints, heart, abdominal cavity and lungs.

13.03.002 GROUP II SUBSTANCES are those other than Group I such as feces, mucus, saliva, sweat, tears, urine and vomit.

13.03.003 BLOODBORNE DISEASES are those transmitted through contact with body fluids from an infected person.

13.04 TRAINING. The LPD Academy staff will provide and document annual training on blood borne infection control procedures to all LPD officers. The training will comply with all Federal and State regulations.

13.05 INFECTION CONTROL SUPPLIES. Patrol beat officers and Identification officers will stock their assigned vehicles with a First-Aid/ Clean-up kit. They will replace used supplies as soon as possible.

13.05.001 FIRST-AID/ CLEAN-UP KIT is a clear, 12” x 15”, 4 mil, resealable, plastic bag containing at least:

A. Two (2) pair of disposable latex gloves for wear during direct contact with bodies, body fluids or waste;

Effective 01/2014
C. Use alcohol wipes, towelettes, waterless cleanser, plain water, soap, etc., or any clean paper or cloth until thorough washing is possible;

D. Not recap, bend or break used needles, or remove them from syringes; and

E. Dispose of needles and other sharp items in the sharps containers Sergeants carry.

13.06 DISPOSAL. Officers will not reuse protective equipment. They will take contaminated equipment, filled sharps containers and collected biohazardous waste to the City Health Department for disposal. They will not dispose of these items in any other way.

13.07 REPORTING PROCEDURES

13.07.001 OCCUPATIONAL EXPOSURE. An employee is considered exposed to a blood borne disease if they have been bitten by a person, stuck by a used syringe, contacted blood or contacted body fluids while performing their duties.

13.07.002 SUPERVISOR NOTIFICATION. Employees will immediately notify an on-duty supervisor of any occupational exposure.

13.07.003 SUPERVISORS will have all necessary reports and injury forms completed and emailed to the appropriate person within 12 hours of the exposure. First Aid Authorization slips must be submitted to Risk Management within 48 hours.

13.07.004 WORKERS' COMPENSATION. To qualify for Workers' Compensation benefits, employees who claim occupational exposure must:

A. Be tested for the disease not more than 10 days after the exposure;

B. Provide City Risk Management with documentation that the employee tested negative for any reportable disease; and

C. Provide City Risk Management with a sworn affidavit with the date and circumstances of their exposure.

Any testing is completely voluntary.

Effective 01/2014
B. One (1) visor/mask fluid shield to simultaneously protect eyes, nose and mouth from fluid contact;

C. One (1) 3/4 ounce package of fluid encapsulation agent to solidify hazardous body fluids for collection and disposal;

D. One (1) plastic scoop to move solidified fluids into hazardous waste disposal bags;

E. One (1) disposable, red, 1.5 mil, 24" x 24", plastic bag marked "biohazardous waste", for disposal of solidified fluids or contaminated items;

F. One (1) clear, 2 mil, resealable, 12" x 12", plastic bag for disposal of non-hazardous items;

G. Six (6) individually packaged, antimicrobial wipes for cleaning contaminated surfaces;

H. One (1) 4-ounce bottle of liquid tuberculocidal disinfectant for waterless skin cleaning;

I. One (1) individually packaged CPR Microshield to prevent fluid contact during CPR; and

J. One (1) instruction sheet explaining the use of each item in the kit.

Officers will also carry 15-20 paper towels.

13.05.002 SERGEANTS' ADDITIONAL SUPPLIES. Patrol Sergeants will also carry one (1) sharps container for collecting syringes and one (1) 15 ounce container of fluid encapsulation agent for large areas.

13.05.003 INSPECTION. Supervisors will inspect their officers' first-aid/ clean-up kits for adequate supplies during each vehicle inspection.

13.05.004 PROCEDURES. Employees dealing with Group I or II substances, especially Group I, should:

A. Use the appropriate protective equipment—latex gloves, visor/ mask fluid shield and CPR Microshield;

B. Immediately and thoroughly wash skin surfaces and mucous membranes contacting the substance, including hands after removing gloves;

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13.07.005 CRIMINAL CHARGES FROM EXPOSURE. Officers or Detention Officers who suspect a person intentionally exposed them to HIV/ AIDS or Hepatitis must immediately have the exposure documented in a Case Report. Investigating officers must read the suspect the Miranda warning and inform him the results of a blood test could be used against him before asking the suspect for a voluntary blood test for these diseases.

13.07.006 MANDATORY TESTING OF PERSONS SUSPECTED OF EXPOSING OFFICERS OR DETENTION OFFICERS. If a suspect refuses a voluntary blood test, the exposed person must present a sworn affidavit to the City Health Department explaining the reasons for requesting a mandatory test. A qualified Health Department representative will review the request and inform the exposed person whether the exposure establishes a risk of infection.

If the Health Department representative agrees the exposure establishes a risk of infection, he will order the suspect to submit to a blood test. If the suspect refuses, the Health Department representative may ask the District Attorney to petition a district court for a hearing on the order.

If the court finds that exposure occurred and presents a possible risk of infection, the court will order the suspect tested.

The court may assess court costs against the person requesting the test if the court finds there was not reasonable cause for the request.

13.08 CONFIDENTIALITY. All medical information, including test results and information about any person's HIV/ AIDS status, is strictly confidential.

13.08.001 RELEASE OF HIV STATUS. LPD staff will not release information about any person's HIV status without written and signed permission from that person specifically naming the person or department to which they authorize the release. Unauthorized release is a Class A misdemeanor.

13.08.002 INFORMATION IN CASE REPORTS. If information about a person's HIV status is relevant to an investigation, officers will put that information in Supplement Reports.

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CHAPTER 14

14.00 OUTSIDE EMPLOYMENT

14.01 PURPOSE: To provide a fair and equitable system for assigning Departmental overtime and police-related outside employment; to set appropriate pay levels for outside, police-related employment, and to set clear chains of command and responsibilities for police-related outside employment.

14.02 POLICY. The LPD has a vested interest in its staff's outside employment since their conduct and performance reflect on the LPD and City of Lubbock regardless of their duty status. Employees' primary employment responsibilities are to the LPD and the citizens of Lubbock. Outside employment is a privilege granted by the Chief and the LPD will regulate this employment to protect the LPD, its employees and the citizens of Lubbock.

14.03 LPD AUTHORITY always prevails over an outside employer's regarding officers' police powers. Officers will enforce City Ordinances and State laws regardless of an outside employer's wishes. Officers will follow all LPD policies, procedures and rules while working outside employment. All LPD staff must respond when called to report for official LPD duty.

14.04 PERMITS/ OUTSIDE EMPLOYMENT

14.04.001 REQUIRED. LPD staff must have a current Outside Employment permit prior to working police-related outside employment. Staff will fully and accurately complete separate permit applications for each job.

14.04.002 PERMIT APPROVAL. LPD staff must have an approved permit from their Assistant Chief before working outside employment. They will submit applications through their chain of command for recommendations of approval or denial. Their Assistant Chief will make final decisions.

Immediate supervisors should review employees' current approved permits, Internal Affairs records and efficiency reports before making recommendations.
Assistant Chiefs will send copies of final permits to the employee, the Chief's office and the officer's Shift or Section Commander. The Chief's office and Commanders will keep these records for two years.

14.04.003 DENIAL. Supervisors may recommend permit denial and Assistant Chiefs may deny permits when it reasonably appears off duty work may interfere with on duty job performance; an officer has earned an unsatisfactory rating for any job factor on their last efficiency report; their Internal Affairs record indicates denial is reasonable or denial is reasonable under section 14.08.001.

14.04.004 RENEWAL. Employees must submit applications for permit renewal to their immediate supervisors by June 15th of each year. Supervisors will promptly process and send the applications to the appropriate Assistant Chief by June 22nd. Approved permits become effective July 1st and expire June 30th of the following year.

14.04.005 SUSPENSION OR REVOCATION. Supervisors may recommend permit suspension or revocation, and Assistant Chiefs may suspend or revoke permits for violations of LPD policy or when off duty work measurably interferes with on duty job performance. Supervisors will send recommendations to their Assistant Chief for final decisions.

14.05 CITY OVERTIME EMPLOYMENT is employment by the City that includes:

A. Inside security or traffic direction at public events such as concerts, sporting events, South Plains Fair, Fourth on Broadway, Fiestas, etc. that only require officers' presence but not specialized training; and

B. Employment lasting less than seven days that usually results from special situations or emergencies requiring police presence.

14.05.001 CITY OVERTIME COORDINATION. LPD staff will refer requests for City Overtime, including requests for new employment and vacancies in existing employment, to the Outside Employment Coordinator. They will refer after hours emergency requests to the Patrol Shift Commander. Shift Commanders may refuse requests that could have been arranged during business hours. They may staff emergency requests from an eligibility list.

14.05.002 CITY OVERTIME ASSIGNMENTS. Officers wanting to work City Overtime will submit a request form to the Outside Employment Coordinator by the 20th of the preceding month. The coordinator will assign an officer to one event and will not assign the officer another event until all available officers are assigned.

Effective 01/2014
14.05.003 **SUBSTITUTIONS.** Officers who cannot work City Overtime assignments as agreed because of situations beyond their control will find another officer to substitute for them and notify the outside employment coordinator. The substitute officer will notify the officer in charge of the assignment. Officers who miss City Overtime assignments without finding substitutes may be suspended from future overtime assignments.

14.05.004 **CITY OVERTIME PAY** is at officers’ applicable overtime rate and paid through the City of Lubbock payroll process.

Officers working these assignments will submit the required documentation to the Outside Employment Coordinator. The Coordinator will submit the hours to Payroll and bill an employer as necessary at the rate designated by the Chief.

14.05.005 **EVENT STAFFING LEVELS.** The Patrol Assistant Chief or designee will determine the number of officers required to staff events.

14.06 **OUTSIDE EMPLOYMENT** is employment by entities other than the City that requires officers to use their police powers. It also lasts at least seven days or occurs annually and requires some specialized training. This includes, but is not limited to business and apartment security, some South Plains Fair positions and LISD school facilitators.

14.06.001 **ELIGIBILITY LISTS.** The Outside Employment Coordinator will coordinate City overtime and outside employment opportunities as equitably as possible.

The Outside Employment Coordinator will notify officers when they are assigned City overtime or scheduled for outside employment. Officers will submit their permit applications to the LPD supervisor, if any, at the outside employment. If there is no LPD supervisor at the Outside Employment, officers will submit their application according to 14.04.002.

Officers currently employed at Outside Employment such as the Fair and LISD school facilitation may keep their positions from year to year without reapplication, subject to renewal of Outside Employment permits. Employers must fill vacancies from an eligibility list.

14.06.002 **SUPERVISORS REQUIRED.** At least one of every six officers an outside employer hires must be a supervisor. For example, one to five officers do not require a supervisor; the sixth officer hired must be a supervisor; seven through eleven officers do not require another supervisor but the twelfth officer hired must be a supervisor.

Effective 01/2014
Employers must follow this ratio whether or not all officers are working at the same time.

Employers may hire more than the minimum number of supervisors.

14.06.003 CHAIN-OF-COMMAND. Ranking officers working Outside Employment will monitor the conduct and performance of subordinates working for the same employer whether or not the subordinates work the same times as the ranking officer. The senior officer is in charge if no ranking officer is employed or if more than one officer of the same rank is employed.

Officers in charge will enforce all rules, policies and procedures of both the LPD and outside employer. They will take appropriate corrective action for violations. Corrective action may include replacing the offending officer.

Officers in charge will control work schedules at Outside Employment. They may delegate the actual scheduling to another officer but will check and approve the schedule.

14.06.004 ON-DUTY ASSISTANCE. Officers at Outside Employment will call on-duty officers for major incidents. Officers working Outside Employment will follow LPD policies and procedures for the incident until relieved by on-duty officers. Supervisors at Outside Employment are in charge at these incidents until relieved by on-duty supervisors.

On-duty officers assigned to these incidents will make the appropriate Case Report and take custody of any arrestees or evidence. Officers working Outside Employment will make appropriate supplement reports.

14.06.005 NEGOTIATING CHANGES IN TERMS OF EMPLOYMENT. Officers working Outside Employment may negotiate changes in pay, schedules, etc. Negotiated changes must be reported to the Coordinator.

14.06.006 UNIFORM WEAR. Officers may wear the LPD uniform at Outside Employment. They will wear only the complete, regular duty uniform and not BDUs or partial uniforms. They will not wear casual shirts identifying them as police officers. Officers not in uniform will keep their badges and handguns concealed.

14.07 CLASSIFICATION. The Chief will determine whether a position is City Overtime or Outside Employment.

14.08 PROHIBITIONS

Effective 01/2014
14.08.001 TYPES OF EMPLOYMENT. LPD staff will not work any employment that may be thought to conflict with their LPD duties or that threatens the dignity or integrity of the LPD. This includes but is not limited to:

A. Debt collection;

B. Property repossession;

C. Private investigation or working for a person or agency with a private investigator's license;

D. Anywhere the primary business is alcoholic drink sales;

E. Sexually oriented businesses; or

F. Anywhere that could contradict an LPD or other government agency investigation.

14.08.002 ON DUTY ACTIVITY. LPD staff will not use on duty time for anything related to Outside Employment unless required by their duty assignment.

14.08.003 SUSPENSION. LPD staff will not work Outside Employment or City Overtime while suspended or on administrative leave.

14.08.004 PROBATIONARY OFFICERS may work City Overtime but not Outside Employment. Those in the Field Training Officer program will not work scheduled City Overtime unless approved by their Assistant Chief.

14.08.005 SICK, INJURY OR FAMILY MEDICAL LEAVE/ LIGHT DUTY. Officers on sick, injury, family medical leave or light duty will not work Outside Employment or City Overtime unless their Assistant Chief approves.

14.08.006 OUTSIDE JURISDICTION. Officers will not work Outside Employment unless the job originates or terminates in the city.

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CHAPTER 15

15.00 LESS-LETHAL IMPACT PROJECTILES

15.01 PURPOSE: To give guidelines for using Less-Lethal Impact Projectiles.

15.02 POLICY: The LPD recognizes that certain combative, armed and/or violent persons may require officers to use special training and equipment to effectively bring incidents under control while protecting the lives of the public and officers. The LPD has adopted less-lethal impact projectiles to help officers de-escalate potentially violent confrontations. Officers must use them according to this chapter and LPD Use of Force policy.

15.03 LESS-LETHAL IMPACT PROJECTILES are LPD issued projectiles intended to encourage compliance, overcome resistance or preclude the use of deadly force without a significant potential for causing death.

15.04 AUTHORIZED DELIVERY SYSTEMS

15.04.001 MULTIPLE ROUND LAUNCHERS for Special Weapons and Tactics Team members.

A. LOADING/ DEPLOYMENT. Only officers who have trained and qualified with these systems will load or deploy them.

15.04.002 DEDICATED SHOTGUNS for officers specifically trained to use 12-gauge, less-lethal rounds. Shotguns dedicated to less-lethal use will have colored stocks that clearly show officers that the weapon is for less-lethal purposes. Officers will carry these shotguns loaded with less-lethal impact rounds and will not carry a lethal shotgun or lethal shotgun rounds. Sergeants will confirm this during routine vehicle inspections.

15.05 USE

15.05.001 AUTHORIZED USE. Officers may use these rounds when:

A. Persons are threatening others or themselves with weapons;

Effective 01/2014
B. Persons are too dangerous for OC spray or batons because of their size, strength, mental condition or aggression;

C. Tasers are appropriate but not available, have failed or would require approaching dangerously close to the person; or

D. Deadly force may be justified but there is time and opportunity to first try less-lethal rounds.

15.05.002

15.05.003 TARGET AREAS. If practical, under the total circumstances of the situation, officers should target areas with the least potential for injury before targeting areas with increased potential for injury. Officers should remember a person’s size, clothing and the distance from which officers fire less-lethal rounds may affect the potential for injury.

The PR-24 training chart is the LPD guide to determine target areas based on potential for injury.

A. Green Areas. Officers will target these when minimum potential for injury is the appropriate response.

B. Yellow/ Red Areas. Officers will target these when higher levels of force are reasonable, recognizing an increased potential for serious injury or death.

C. Head & Neck. Officers will not target these unless deadly force is authorized.

15.05.004 EFFECTIVENESS. Officers will evaluate the effectiveness of each round fired. Compliance and/or incapacitation are the goals and officers will consider alternative target areas when rounds are not effective.

15.05.005 AFTER FIRING

A. Officers who have fired less-lethal rounds causing immediately apparent serious bodily injury or death will comply with LPD Procedure Manual Section 6.06, Investigating Firearms Discharges.

B. Officers who have fired less-lethal rounds not causing immediately apparent serious bodily injury or death will notify a supervisor, protect the scene and request EMS. They will have anyone struck by less-lethal rounds taken to a hospital for medical evaluation.

Effective 01/2014
C. Supervisors will respond to the scene, inspect the discharged shotgun for policy compliance, and protect the scene pending the results of the medical evaluation. If the less-lethal rounds have not caused serious bodily injury, they will have Crime Scene Officers process the scene for evidence.

D. If less-lethal rounds have not caused serious bodily injury or death, supervisors and shift or section commanders will review as they would an incident under LPD Procedure Manual Section 4.04.013.
CHAPTER 16

16.00 TRACKING SYSTEM

16.01 PURPOSE: To provide guidelines for using the Tracking System (TS).

16.02

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16.03.001

16.03.002

16.03.003

16.03.004

16.04

16.04.001

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16.06 MEDIA. Due to the tactical nature of TS operations, LPD staff will refer any media requests for information to the LPD Public Information Off

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CHAPTER 17

17.00 TATTOOS

17.01 POLICY. The Lubbock Police Department is a professional police organization and requires LPD staff to present an appropriate, professional image to the public. Extensive, visible or inappropriate tattoos are inconsistent with a professional image.

17.02 EXTENSIVE TATTOOS are those that cover a large area of the body.

17.03 VISIBLE TATTOOS are tattoos or portions of tattoos that are outside the sleeves of short-sleeve shirts, the hems of trousers, shorts, skirts, dresses, or the neck of any shirt.

17.04 INAPPROPRIATE TATTOOS are those that persons may perceive as offensive because of the subject matter, location, size, design or negative connotation.

17.05 DETERMINATION. The Chief of Police may determine what constitutes extensive, visible or inappropriate tattoos.

17.06 APPLICANTS. The Chief of Police or his designee may disqualify applicants for officer or civilian positions if applicants have extensive, visible or inappropriate tattoos.

17.07 CURRENT EMPLOYEES may not add extensive or inappropriate tattoos. They may add visible tattoos only with permission from the Chief of Police. Violation of this section may result in termination.

17.08 DISPLAY. Only undercover officers may display extensive tattoos while on duty with supervisor approval. All other officers, on duty or off, driving LPD vehicles or presenting themselves as LPD officers must keep tattoos covered.

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CHAPTER 18

18.00 TASERS

18.01 PURPOSE: To give guidelines for using Taser Conducted Electrical Weapon.

18.02 POLICY: LPD Officers may use Tasers according to this chapter, their training, and LPD Procedure Manual Chapter Six, Use of Force. The LPD believes that Tasers allow officers to quickly and effectively overcome resistance, which reduces the risk of serious injuries to the public, officers and subjects.

18.03 TASERS and CARTRIDGES are LPD issued.

18.04 USE

18.04.001 CARRYING. Officers carrying Tasers on their belts must do so on the side opposite from their handguns.

18.04.002

18.04.003

18.04.004

18.04.005 NUMBER AND DURATION OF APPLICATIONS. Officers should minimize the number and duration of applications as reasonable under the total circumstances of the situation.

18.04.006 EFFECTIVENESS. Officers will evaluate the effectiveness of each application. They should give subjects time to respond and remember that

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subjects may be unable to respond to commands during or immediately following applications.

18.04.007 ENVIRONMENTAL CONSIDERATIONS. If feasible, officers should not use Tasers where a fall might cause serious injury or flammables might ignite.

18.04.008 HIGH RISK PERSONS. If feasible, officers should not use Tasers on pregnant women, the elderly, young children or the visibly frail.

Officers should be aware that certain agitated behaviors, alcohol or drug intoxication may indicate high risk.

18.04.009 MEDICAL TREATMENT. If feasible, Officers should call EMS immediately when encountering a high risk person.

Officers will call EMS if they have used Tasers on a high risk person; if a probe has lodged in a sensitive area (head, neck, groin, female breast); or, if a person has received multiple or extended applications.

18.04.010 HANDCUFFED/RESTRAINED PERSONS. Officers will not use Tasers on persons who are restrained with handcuffs or other devices unless those persons are actively resisting and pose an immediate threat to the public or officers.

18.04.011 EVIDENCE. Officers will secure expended cartridges, probes, and AFIDs as evidence. They will process this according to Chapter 5.

18.05 TRAINING UPDATES. Officers should check www.taser.com periodically for the latest updates. Taser instructors should email updates to all LPD officers. Instructors will check for updates before training sessions.

18.06 DATA DOWNLOADS. The assigned Academy officer will download and file data from Tasers before sending them for repair. Internal Affairs supervisors or LPD Taser instructors may download and record data as required for Internal Affairs or other investigations.

Effective 01/2014
RULES

CHAPTER 1

R1.00 ORGANIZATIONAL RESPONSIBILITY

R1.01 PURPOSE. To provide rules for LPD staff governing various responsibilities and conduct not addressed elsewhere.

R1.02 RULES, POLICIES, PROCEDURES, LAWS AND ORDERS.

R1.02.001 DUTY TO KNOW/ FOLLOW. LPD staff will know and follow all LPD, City of Lubbock and Civil Service Commission rules, policies and procedures.

R1.02.002 DUTY TO OBEY/ ENFORCE LAW. LPD staff will obey all Federal, State and local statutes and regulations. They will comply with all mandatory enforcement laws and regulations.

R1.02.003 CONSPIRACY/ ATTEMPT. The LPD may discipline employees who attempt to violate, or knowingly conspire with anyone to violate, an LPD rule, policy or procedure as if they committed the violation.

R1.02.004 SUPERVISORS will enforce all LPD rules, policies and procedures. They will take appropriate corrective action against violations, no matter by whom. They are accountable for employees under their immediate command. Supervisors will assist the professional development of those they command and provide positive examples of quality leadership.

R1.02.005 DUTY TO OBEY ORDERS. LPD staff will obey all proper orders from a senior supervisor or another acting in that capacity. This includes orders another employee relays from a supervisor.

R1.02.006 CONFLICTING ORDERS. LPD staff receiving orders that conflict with previous orders will respectfully inform the supervisor giving the latter order. That supervisor will determine which order stands and will take responsibility for the consequences.

R1.02.007 IMPROPER ORDERS. LPD staff receiving orders they believe are improper should obey the orders and question them later. If they believe orders are illegal or would result in unreasonable risk of injury or property damage, they should immediately notify a higher-ranking supervisor.

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R1.02.008 **INSUBORDINATION.** LPD staff will not, by acts or speech, show unwillingness to submit to supervisors' authority, disobey direct orders or show disrespect to supervisors.

R1.03 **GENERAL DUTY**

R1.03.001 **SUBJECT TO CALL.** LPD may call staff to duty at any time regardless of their regular duty time.

R1.03.002 **CELL PHONE.** LPD staff must have cellular telephone service with text messaging capability and will register their current cell phone number and home address with the Chief's office. They will report any changes within 24 hours.

Staff will always keep their cell phones activated and nearby, whether on duty or off, unless they are out of town or have made other arrangements through their chain of command. Staff will promptly respond to LPD initiated phone calls or text messages.

R1.03.003 **ABSENCE WITHOUT LEAVE.** LPD staff must have supervisor approval to miss, or leave, a duty assignment.

R1.03.004 **TRADING SHIFTS.** Officers must have their Assistant Chief's approval to work a regular duty assignment for another officer or have another officer work a regular duty assignment for them.

R1.03.005 **BEARING/ ALERTNESS.** On duty LPD staff will stay alert, observant and occupied with LPD business. Officers will always carry themselves professionally.

R1.03.006 **DUTY TO RESPOND.** Officers will respond to any situation requiring the police and take reasonable, legal action to preserve the public peace, protect life and property or perform any other police function. On-duty officers will respond to, and complete, assigned calls without undue delay.

R1.03.007 **DUTY TO MAKE REPORT.** Officers will make a proper report of all offenses investigated, observed or reported to them. This includes, but is not limited to, information needed to:

A. Accurately classify an offense and identify all elements of the offense;

B. Fully document reasonable suspicion, probable cause, use of force, and authority for detentions, arrests, searches, or seizures;

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C. Fully document any prisoner injury, forced entry, property damage or loss;

D. Fully document their involvement in any situation requiring a report; and

E. Identify all involved parties.

They will make other reports with details as required on the correct form. They will submit initial Case Reports to a supervisor for approval immediately after completion and before they go out of service. They will not hold reports until their next shift.

R1.03.008 SUPERVISOR REPORT DUTIES. Supervisors will:

A. Review all reports submitted to them for officers’ compliance with R1.03.007 and all other LPD policies;

B. Have submitting officers correct any deficiencies or errors;

C. Approve the reports; and

D. If reviewing a report for another supervisor’s officer, notify that supervisor of serious or recurring deficiencies.

R1.03.009 WITHHOLDING INFORMATION. LPD staff will not intentionally withhold information related to actual or suspected crimes when that information might prevent a crime, aid an investigation or prosecution, or expedite an arrest. They will not intentionally withhold information related to Internal Affairs investigations.

R1.03.010 DUTY TO PROVIDE ASSISTANCE. LPD staff will try to assist persons with problems or questions, even if unrelated to their normal duties.

R1.03.011 BADGE/IDENTIFICATION CARD. Officers in the City must have their badge and identification card with them whenever feasible.

R1.03.012 REQUESTS FOR NAME/BADGE NUMBER. LPD staff will politely give their name and badge number to anyone who asks, unless it hinders their duties or a supervisor tells them otherwise.

R1.03.013 OPEN RECORDS REQUESTS. LPD staff who receive written requests for open records information will IMMEDIATELY bring the request to the Administration Section Captain or designee. Failure to respond to requests within the required time will force the LPD to release otherwise privileged information.

Effective 01/2014
R1.03.014 SALUTE TO FLAG/ NATIONAL ANTHEM. Uniformed officers wearing headgear will come to attention and salute the United States flag and National Anthem with the military hand salute unless performing official duties requiring immediate attention. All officers without headgear will come to attention and place their right hands over their hearts.

R1.04 PERSONAL CONDUCT

R1.04.001 GENERAL CONDUCT. LPD staff, on duty or off, will not discredit themselves, the LPD or impair LPD operations by their conduct.

R1.04.002 COWARDICE. Officers will not abandon their duties because of cowardice or danger.

R1.04.003 DISRUPTIVE CONDUCT. LPD staff, on duty or off, will not disrupt the good order or discipline of the LPD by their conduct.

R1.04.004 PERJURY/ MISREPRESENTATION. LPD staff will not knowingly or willfully misrepresent any matter, sign any false statement or report, or give false testimony before any official body or LPD hearing.

R1.04.005 RESPECT TO OTHERS. LPD staff should be courteous when feasible. They will not verbally abuse, curse at or insult others. They will not intentionally treat another person disrespectfully.

R1.04.006 REWARD/ SPECIAL PRIVILEGE. Supervisors will not offer or give rewards or special privileges to staff for job performance unless the Chief approves.

R1.04.007 UNNECESSARY FORCE. Officers will not use unnecessary force against anyone.

R1.04.008 INCITING VIOLENCE. LPD staff will not do anything to incite anyone to violence.

R1.04.009 MALICIOUS PROSECUTION. Officers will not maliciously prosecute anyone.

R1.04.010 DISCRIMINATION. Officers will not base any official action on prejudice against anyone's race, color, religion, or other classification.

R1.04.011 ALCOHOL/ DRUG USE. The LPD follows the City of Lubbock policy on alcohol and drug use, except on-duty undercover officers may use alcohol.

Effective 01/2014
when authorized in official investigations. Staff will not be intoxicated in public anytime.

R1.04.012 **TOBACCO.** LPD staff will not use tobacco when it is prohibited, offends citizens, forces them to leave their assignment or they are in formation.

R1.04.013 **TRANSPORTING OPPOSITE SEX.** Officers transporting persons of the opposite sex whom they have contacted while performing police duties will, if video is available, video the person during transport. They will begin transport notifying dispatch of their destination and mileage, and end transport by notifying dispatch of their mileage. Dispatchers will respond with the time.

R1.05 **CONFLICTS OF INTEREST.** City of Lubbock policy primarily governs these.

R1.05.001 **PUBLIC STATEMENTS.** LPD staff will not make public statements about the LPD or an LPD operation, investigation or employee that impairs the good order and discipline of the LPD.

R1.05.002 **POLITICS.** LPD staff who are on duty, in uniform or on LPD property will not participate in political activities except to vote or privately express a political opinion.

R1.05.003 **CANDIDACY FOR OFFICE.** LPD staff will not be candidates for any office that would be a conflict of interest.

R1.05.004 **PROMOTING RELIGIOUS/ POLITICAL CAUSES.** LPD staff will not actively promote religious or political causes while on duty, in uniform or on LPD property.

R1.05.005 **USE OF POSITION.** LPD staff will not identify themselves as LPD employees when speaking publicly on non-departmental matters.

R1.05.006 **MEMBERSHIP IN CERTAIN ORGANIZATIONS.** LPD staff will not be members of any group whose policy advocates violence to deny the constitutional rights of others or unconstitutionally changing the United States or Texas government.

R1.05.007 **MEMBERSHIP IN LABOR ORGANIZATIONS.** City of Lubbock policy governs this.

R1.05.008 **PARTICIPATION IN PROTEST DEMONSTRATIONS.** LPD staff will not speak for, or represent, any group engaging in, or planning, a violent or illegal protest demonstration.

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R1.05.009 COMMISSION FROM OTHER AGENCY. LPD staff will not hold deputations or commissions from another law enforcement agency without the LPD Chief's approval.

R1.05.010 FINANCIAL OBLIGATION. The LPD may discipline officers under Civil Service statutes and rules for refusal or neglect to pay just debts. Unforeseen medical or other circumstances may mitigate disciplinary action if officers make good faith efforts to pay.

Supervisors will not accept financial help from a subordinate. Officers may only ask others of their rank to co-sign loans.

R1.05.011 BUSINESS CARDS. LPD staff may use business cards connecting them with the LPD for LPD duties only. They may only include information directly related to the LPD or the employee's duties.

R1.05.012 DEBT COLLECTION. LPD staff will not collect debts or repossess property other than their own. They will not use LPD equipment, credentials or authority for this.

R1.05.013 OTHER COMPENSATION. LPD staff will submit any compensation or gift, other than regular salary, they receive for LPD assigned duties to the Chief's office.

According to the City Charter, it is a misdemeanor for staff to accept anything of value, directly or indirectly, from any person or business under terms more favorable than those for the general public. Conviction results in loss of employment.

R1.05.014 GIFTS. LPD staff will not offer gifts to supervisors or solicit donations for gifts for anyone without their Assistant Chief's approval.

R1.05.015 RECOMMENDING SERVICES. LPD staff will not recommend any service or business to anyone contacted in the line of duty.

R1.05.016 SOLICITATION. LPD staff will not allow anyone to solicit sales, votes, opinions, etc. on LPD property without the Chief's approval.

R1.05.017 ADVERTISING. LPD staff will not allow anyone other than the LPD to use their names or images for any advertising if it identifies their LPD employment.

R1.05.018 ASSOCIATION WITH KNOWN OFFENDERS. LPD staff will not accept gifts, favors or financial help from known or suspected felons or habitual offenders. They will not maintain any relationship with these persons unless unavoidable because of family relationships.

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R1.05.019 **ACTIVITIES INVOLVING STAFF OR FAMILY.** LPD staff will not investigate or be officially connected to any LPD activity involving themselves, their family or property. They will report criminal activity to the appropriate LPD section.

R1.06 **PROPERTY RESPONSIBILITIES**

R1.06.001 **REPAIR/ ALTERATION.** LPD staff will promptly report to the appropriate person when City property needs repair. They will not repair or alter any City property without their Assistant Chief’s approval.

R1.06.002 **DAMAGE/ LOSS.** City of Lubbock policy governs this.

R1.06.003 **CLEANLINESS.** LPD staff will keep their assigned vehicles, equipment and work areas clean.

R1.06.004 **UNAUTHORIZED USE.** LPD staff will not allow unauthorized persons to use LPD equipment or property.

R1.07 **MISCELLANEOUS RULES**

R1.07.001 **REPORT AND INVESTIGATION RESPONSIBILITY.** The primary officer assigned a call will control the investigation until a supervisor or appropriate investigator relieves them. The primary officer will make the original report.

R1.07.002 **SENIOR OFFICERS IN CHARGE.** When two officers are assigned together, the senior or ranking officer is in charge.

A senior or ranking officer may take charge of a situation when necessary to prevent or remedy an unsafe or improper action. Other officers must comply.

R1.07.003 **STAYING ON BEAT.** Officers will stay on their assigned beats unless a supervisor or dispatcher gives permission to leave.

R1.07.004 **MEALS.** Officers working shifts may take a meal break that should not exceed 30 minutes. They will answer any calls for service assigned to them during this time.

R1.07.005 **MARKED UNITS AT RESTAURANTS.** On duty officers may park only two marked units at one time at any restaurant. Shift Commanders may modify this rule only to address unusual circumstances.

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R1.07.006 FUNERAL ESCORTS. Supervisors or dispatchers will assign motorcycle units to funeral escorts when available. They may assign marked cars when motorcycles are unavailable but may not assign both to the same escort.

Dispatchers will not assign escorts during icy conditions unless a Patrol supervisor determines it is safe.

Officers on escorts will use emergency lights and headlights. They will use lights and sirens through intersections against red traffic lights or stop signs.

R1.07.007 NOTIFYING NEXT OF KIN. The senior supervisor at an incident involving death or serious injury will notify, or have another supervisor notify, the victim's nearest relative as soon as possible. They may have Crisis Team members go with them. Supervisors will use telephone notification only as a last resort.

Effective 01/2014
RULES
CHAPTER 2

R2.00 UNIFORM, DRESS AND APPEARANCE

R2.01 PURPOSE: To set rules to ensure clothing and hairstyles do not impair safety or job performance; to direct LPD staff to present an appropriate, professional image to the public and use personal grooming discipline.

R2.02 GENERAL RULES

R2.02.001 UNIFORM CONDITION. LPD staff in assignments requiring uniforms will wear LPD uniform items approved for those assignments. Staff will keep their uniforms and related equipment clean and well maintained, keep leather and metal items polished, and not modify uniform items except for proper fit. They will keep shirt plackets aligned with trouser flies.

R2.02.002 CIVILIAN CLOTHING. On duty, non-uniformed staff will dress appropriately for their assignment and public service responsibilities.

R2.02.003 UNIFORM RESTRICTIONS. Staff will not wear uniform items off duty except to and from work or during LPD approved outside employment. Officers riding personal motorcycles will cover any identifiable uniform item. Staff will not loan identifiable uniform items to private citizens without the Chief’s approval.

R2.02.004 UNAUTHORIZED ITEMS. Staff will not wear any item on, or as part of, the uniform unless it is authorized in these rules, by the Chief or a designee. Officers in uniform may hang a maximum of two vehicle keys and one handcuff key from their belts. They may keep pens and pencils in shirt pocket slots. They will not carry any other non-uniform items in view on the uniform.

R2.02.005 JEWELRY/ SUNGLASSES. Only undercover officers may wear visible body piercing jewelry. Only female investigators may wear ear jewelry. Officers in uniform, driving LPD vehicles, or presenting themselves as LPD officers will not wear visible necklaces or body piercing jewelry. They may wear sunglasses with gray, green or amber lenses but not mirrored or iridescent. They may only wear black, gold, or silver frames and styles consistent with a professional image. They will not wear lanyards.

R2.02.006 INSPECTION. Supervisors will personally inspect members of their command for strict compliance to these rules and will ensure the members

Effective 01/2014
properly maintain clothing items. Patrol Division Captains will conduct periodic inspections during briefing. Supervisors will take appropriate corrective action to address violations.

R2.02.007  **DUTY UPON SUSPENSION.** Officers will not wear uniforms, be armed or take any type of police action while suspended. The Commander notifying them of the suspension should collect their badges and identification cards.

R2.02.008  **DUTY UPON TERMINATION.** Officers terminating from the LPD will return all issued items clean and in good condition.

R2.03  **UNIFORM ITEMS.** The Patrol Assistant Chief will keep a current list of authorized uniform items. This may include authorized vendors.

R2.03.001  **SHIRTS.** Officers may choose when to wear long or short sleeved shirts for regular duty. They may wear white, navy blue or black crew neck T-shirts under the uniform shirt. They may wear navy blue or black turtleneck shirts under the uniform shirt. None may have distinctly colored stitching, logos or designs visible.

R2.03.002  **TROUSERS.** Officers will wear trousers hemmed so the cuffs reach at least the top of the footwear heel but not past the middle of the heel. Motorcycle officers and officers authorized to wear BDU uniforms may bloused the trouser legs inside boot tops. All other officers will wear trousers outside footwear.

R2.03.003  **HEADGEAR.** Officers may wear any LPD issued cap. They will wear dress caps only with the cap badge attached. They may wear authorized, close fitting, plain black or navy blue watch caps.

Officer will wear all billed caps squarely on their heads with the bills in front and not cocked up or down. They may slightly curve baseball cap bills but will not otherwise change the shape.

R2.03.004  **FOOTWEAR.** Officers will only wear black footwear without distinctly colored stitching, logos or designs. They will wear only black socks with low quarter shoes. They may wear appropriate black footwear during inclement weather.

Motorcycle officers will wear issued motorcycles boots.

R2.03.005  **DRESS UNIFORM.** Officers will wear long-sleeved uniform shirts, authorized black tie and dress cap when attending formal functions such as funerals, weddings or others as the Chief determines. Motorcycle
officers will wear black turtleneck shirts instead of ties, and their issued helmets.

Patrol officers attending a scheduled court function will wear the dress uniform without the cap unless directed otherwise.

R2.03.006 BADGE. Officers will wear the LPD issued badge on the uniform shirt in the area provided. On duty officers wearing any coat, jacket or raingear over the uniform shirt will wear the badge on the outerwear in the area provided.

R2.03.007 NAMEPLATE. Officers will attach the LPD issued nameplate centered 1/8" to 1/4" above, and parallel to, the right uniform shirt pocket. Officers will only use their initials and last names on nameplates.

R2.03.008 RANK INSIGNIAS. Officers will designate their rank as follows:

A. CHIEF. Two gold stars centered on each collar, 1/2" from the front edge.

B. ASSISTANT CHIEF. One gold star centered on each collar, 1/2" from the front edge.

C. CAPTAIN. One smooth, gold, small set of captain’s bars centered on each collar, 1/2" from and parallel to the front edge.

D. LIEUTENANT. One smooth, gold, small, lieutenant’s bar centered on each collar, 1/2" from and parallel to the front edge.

E. SERGEANT. Sergeant’s chevrons centered on shirt sleeves with the top at least 1", but not more than 2" below the shoulder patch.

F. CORPORAL. Corporal’s chevrons centered on shirt sleeves with the top at least 1", but not more than 2" below the shoulder patch.

Captains, Lieutenants and Sergeants will wear rank insignia on all uniform jackets, centered on each epaulet 1" from the sleeve seam.

R2.03.009 OTHER INSIGNIAS/ RIBBONS. Qualified officers may wear a maximum of four of the following: Medal of Valor, Distinguished Service, Life Saving, SWAT, Field Training Officer, Marksmanship, Crime Scene Officer, Negotiator, Mounted Unit, Bomb Technician, Mobile Field Force, FBI National Academy, LEMIT Leadership & Command College and Motorcycle Qualification ribbons.

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Officers will wear single insignias or ribbons centered horizontally, 1/2” above the nameplate and multiple combinations as follows:

A. Two ribbons in line, with the highest award on the officer’s right.

B. Three ribbons with the highest award centered above the others.

C. Four ribbons with the highest two above the others and the highest of those on the officer’s right.

**R2.03.010 SHOULDER PATCHES.** Officers will wear LPD issued patches centered on both uniform shirt and jacket sleeves 1/2” below the shoulder seam.

**R2.03.011 SERVICE STRIPES** each represent five years service with the LPD. Officers may wear stripes centered on the left sleeve of the long sleeved uniform shirt, 1” above the cuff seam.

**R2.03.012 LEATHER GEAR.** Officers in uniform will wear the following black, basket weave, LPD issued or approved items:

A. **EQUIPMENT BELT** -- secured to the trouser belt as approved.

B. **HANDGUN HOLSTER** – on the equipment belt on the officer’s preferred side. The Training Captain will approve holsters for duty use. Officers will not wear cross draw holsters.

C. **CARTRIDGE CASE** – on the front of the equipment belt.

D. **HANDCUFF CASE** – on the equipment belt according to the officer’s training.

**R2.03.013 OTHER REQUIRED EQUIPMENT.** Officers assigned to Patrol shifts or working outside employment in uniform will wear body armor and carry the following items on the equipment belt:

A. **PORTABLE RADIO** -- on the side opposite the handgun.

B. **CHEMICAL AGENT SPRAY/ BATON** – according to training and section R3.06.003.

C. **TASER** – according to training, Chapter 18 and section R3.06.003.

**R2.03.014 OPTIONAL FOLDING KNIFE.** Officers in uniform may carry folding knives with blades up to 5”, in black, basket weave, leather cases.

**R2.04 HAIR STANDARDS**

Effective 01/2014
R2.04.001 MALE STAFF will keep their hair moderately tapered and neatly trimmed, not covering the top of a shirt collar or any part of the ears and not interfering with proper cap wear.

They will keep sideburns neatly trimmed, not longer than the bottom of the ears nor wider at the bottom than the top. They will keep mustaches neatly trimmed, not extending below or extremely past the corners of the mouth nor over the defined line of the upper lip.

They will be clean-shaven on duty except for documented medical reasons or assignment.

R2.04.002 FEMALE STAFF in uniform will arrange their hair so it does not impair safety or job performance nor interfere with proper cap wear.

R2.05 CLOTHING ALLOWANCE. All commissioned officers have $1,200 allotted per fiscal year, October 1 through September 30, for reasonable expenses to keep an appropriate professional image. These expenses include authorized uniform and non-uniform items, associated dry cleaning, laundry and alterations. The IRS considers non-uniform items as income to officers. Officers will account for these purchases according to the current Accounting Department procedures.

Officers are responsible for expenses over the allowance. If expenses for a fiscal year are less than the allowance, the difference reverts to the City General Fund.

Supervisors will review purchasing card ledgers of their officers to ensure limits are complied with and purchases are for approved items.

R2.05.001 AUTHORIZED EXPENSES

A. UNIFORM ITEMS. Officers will confirm items are authorized under R2.03 before purchasing.

B. NON-UNIFORM ITEMS are not specifically authorized by brand, construction, appearance, etc. Officers will make sure items are consistent with a professional image and appropriate for officers' duty assignments. Authorized items include coats, pants, shirts, ties, belts, shoes/boots, holsters, magazine and handcuff cases. Officers will not buy cross draw holsters.

Effective 01/2014
C. LAUNDRY/DRY CLEANING. Officers will only use their allowance for authorized items. They will make sure personal expenses are not included on bills for authorized items.

D. ALTERATIONS. Officers will handle these expenses just as Laundry/Dry Cleaning.

R2.05.002 PURCHASING CARD PROGRAM. Officers will follow all program procedures according to training and the Purchasing Card Program Agreement.

Officers transferring from one cost center to another must notify the Program Administrator.

R2.05.003 TERMINATING OFFICERS will return all uniform items purchased under this program to the Academy.
RULES

CHAPTER 3

R3.00 AUTHORIZED WEAPONS AND RESTRAINTS

R3.01 AUTHORIZATION. Only the Chief may authorize weapons and restraints. The Chief may base authorization on staff recommendations. Only weapons with which officers are currently qualified are authorized.

R3.02 TRAINING. Officers may only use authorized weapons and restraints after proper training and according to the training.

R3.03 QUALIFICATION. Officers will qualify with primary-duty handguns semi-annually; with other firearms annually; and Tasers and batons as required.

R3.04 AUTHORIZED FIREARMS

R3.04.001 PRIMARY-DUTY HANDGUNS are LPD issued for all officers to carry on duty. Personally owned semi-automatic pistols authorized before 1997 for specific officers are still authorized. No other personally owned pistols are authorized for primary duty.

R3.04.002 EXTRA-DUTY HANDGUNS are at least .38 caliber, double action revolvers with at least 2” barrels and 5 shot capacity, or at least .380 caliber semi-automatic pistols. Officers must register extra-duty handguns with the Academy.

R3.04.003 LONG GUNS are shotguns, rifles or tear gas guns specifically issued or authorized.

R3.05 CARRYING FIREARMS

R3.05.001 FIREARM CONDITION. Officers will keep all authorized firearms clean, operable and fully loaded with LPD issued ammunition. Ammunition in extra-duty handguns will be substantially the same as issued ammunition.

R3.05.002 ON-DUTY Officers will carry a primary-duty handgun secured in an LPD approved holster. They may carry an extra-duty handgun, also.

Effective 01/2014
Undercover officers may carry an extra-duty or a primary-duty handgun without an approved holster.

R3.05.003  **OFF-DUTY** Officers driving LPD vehicles will carry a primary-duty or extra-duty handgun. Otherwise, carrying firearms is optional.

R3.05.004  **METHOD.** Officers will carry firearms so as not to alarm citizens when feasible without compromising officer safety. Officers will carry handguns concealed except when drawing or use is authorized by policy or when on duty and prominently displaying their badge.

Officers will keep all firearms secure. This includes practicing appropriate firearms safety to prevent accidental discharges.

R3.05.005  **PROHIBITED.** Officers under the influence of alcohol or drugs will not carry firearms.

R3.06  **OTHER AUTHORIZED WEAPONS**

R3.06.001  **CHEMICAL AGENTS** include the spray issued to individual officers and agents available only to the SWAT Team or Mobile Field Force.

R3.06.002  **TASERS AND BATONS** are LPD issued.

R3.06.003  **CARRYING SPRAY/ TASERS/ BATONS.** Sergeants, Corporals, and Officers working Patrol shifts, or any officer working outside employment in uniform, will carry the issued ASP baton and Taser or chemical agent spray on their belt. Those carrying Tasers may opt not to carry the chemical agent spray. Those working Mobile Field Force assignments will carry the issued ASP baton and Taser.

R3.07  **AUTHORIZED RESTRAINTS**

R3.07.001  **HANDCUFFS** are LPD issued for all officers to carry on duty. Personally owned handcuffs are authorized if the Academy staff recommends them and the Chief authorizes.

Officers driving LPD vehicles, whether on duty or off, will carry authorized handcuffs.

R3.07.002  **FLEX CUFFS AND LEG RESTRAINTS** are LPD issued.

Effective 01/2014
RULES
CHAPTER 4

R4.00 VEHICLE USE

R4.01 PURPOSE: To provide rules for on and off duty, non-emergency LPD vehicle use. The LPD assigns vehicles to individual officers for off duty use to:

A. Increase the number of police units available for call response;
B. Increase visible police presence within the city;
C. Improve maintenance through individual responsibility; and
D. Mobilize fully-equipped off-duty officers directly to points of need in emergencies.

R4.02 FLEET PLAN

R4.02.001 HOME STORAGE AUTHORIZATION. Officers will request this on the proper form and may not participate until their chain of command approves. Officers will submit new requests when changing addresses or vehicles.

Supervisors may approve temporary use of spare vehicles when appropriate.

R4.02.002 OFFICERS LIVING OUTSIDE THE CITY will not drive their vehicles home but may drive them off duty in the city.

R4.02.003 DRIVING OUTSIDE THE CITY. Officers may only drive LPD vehicles outside the city for official LPD functions.

R4.02.004 LIMITED DUTY/ SICK LEAVE/ VACATION. Officers on limited duty or sick leave who cannot perform police functions will not drive LPD vehicles. Supervisors of officers on limited duty or extended sick leave will park the officer's vehicle at the LPD until the officer returns to full duty.

Officers gone from the city fifteen or more calendar days will park their vehicles at the LPD or an approved location other than home. Supervisors may authorize other officers to drive these vehicles.

Effective 01/2014
R4.02.005 EXTRA KEYS. Assistant Chiefs will determine where supervisors will store these.

R4.02.006 SPECIAL PRIVILEGES. Off duty officers will not take special parking or operation privileges with these vehicles.

R4.02.007 UNATTENDED VEHICLES. Officers will lock these and place portable radios and loose weapons in the trunk. They will disable electric trunk releases and fasten auxiliary locks.

R4.02.008 CONDUCT AND APPEARANCE. Off duty officers using LPD vehicles will follow applicable LPD policies, procedures and rules. They will dress appropriately to effectively perform police duties without criticism by the public. Cut off shorts, tank tops, swim suits, etc. are inappropriate.

R4.02.009 RADIO/ MDC. Off duty officers will monitor the primary channel and will only use the radio or MDC for LPD business.

R4.02.010 CALL RESPONSE. Off duty officers in LPD vehicles will respond to felonies in progress when closer than on duty units or when necessary to assist on duty units.

Off duty officers in marked vehicles will stop at accidents and assist as needed.

Off duty officers will take immediate, necessary action and report it appropriately. They should call on duty units to complete the call.

R4.02.011 PASSENGERS who are not City employees are permitted with off duty officers. Officers are responsible for their passengers and will leave them at a safe location before responding to potentially dangerous calls. If they cannot, officers may not respond.

R4.02.012 AUTHORIZED OPERATORS. Officers will only allow LPD or service personnel to operate LPD vehicles.

R4.02.013 LOADS. Off duty officers may only carry items that are not heavy or excessive, and do not protrude from the vehicle.

R4.02.014 OFF DUTY EMPLOYMENT. Officers may drive LPD vehicles to and from off duty work. They may not use LPD vehicles as part of off duty work other than City overtime.

R4.03 GENERAL VEHICLE RULES

Effective 01/2014
R4.03.001 MAINTENANCE RESPONSIBILITY. Officers will properly maintain their assigned vehicles according to the current maintenance procedure. They will report for duty with a substantially full gas tank.

R4.03.002 REPAIRS or ALTERATIONS. Officers may only make minor repairs such as changing lights, fuses or flats. They will only use approved vendors according to current procedures for repairs not personally made. They will make alterations or add non-issued items only with an Assistant Chief's approval.

Officers may have only two additional electrical accessories. These must use cigarette lighter plug connections installed by Radio Shop personnel.

R4.03.003 INSPECTION RESPONSIBILITY. All supervisors will regularly inspect assigned vehicles in their divisions for:

A. Proper maintenance, including cleanliness;
B. Unreported damage;
C. Unauthorized alterations, weapons or equipment; and
D. Improperly held evidence.

R4.03.004 PASSENGERS. On duty officers will only carry passengers who are LPD employees or persons connected with officers' official duties. Observers must have prior approval from Captains or above.

R4.03.005 PARKING. LPD employees will only park where authorized. Only officers transporting prisoners will park between Municipal Court and the north Police building. They will leave this alley unblocked unless absolutely necessary.

R4.03.006 DRIVING. Officers will drive safely, responsibly, with due regard for the safety of others and to avoid collisions.

R4.03.007 ALCOHOLIC BEVERAGES. Other than evidence, Officers will not carry these in City owned or leased vehicles.

Effective 01/2014
R5.00  COURT APPEARANCES

R5.01  PURPOSE. To provide rules for LPD staff participation in duty-related criminal and civil court actions.

R5.02  RESPONSIBILITIES

R5.02.001  INTERFERENCE WITH COURT. LPD staff will not knowingly interfere with the efficiency or integrity of any court. They will report any interference to their supervisor.

R5.02.002  AVAILABILITY. LPD staff will be present on time and available to testify in any criminal court, grand jury or administrative hearing in Lubbock County when officially notified to appear.

LPD staff will only appear in civil court or out-of-county criminal court or grand jury when subpoenaed or with the Chief's approval.

R5.02.003  NOTICE TO APPEAR. Official notice to appear includes legal subpoena, posted docket list or any written or verbal notice from the court or LPD.

R5.02.004  UNABLE TO APPEAR. LPD staff who are unable to appear for any reason will notify the appropriate court authority with as much advance notice as possible to be excused. They should note the date, time and person excusing them. They will notify a supervisor if they cannot personally contact anyone else and the supervisor will make the notifications.

R5.02.005  LEAVING COURT. LPD staff will get permission to leave from the prosecuting attorney or grand jury foreman if they have not been officially excused.

R5.02.006  DRESS. LPD staff, other than Bike Patrol and Undercover Officers, may wear their duty clothing to unscheduled court appearances. Officers will wear dress uniforms or appropriate, professional, business clothing to scheduled court appearances. Officers attending Federal court will check their handgun with security personnel.

R5.02.007  RECOMMENDATIONS. LPD staff will make any recommendation for case disposition or penalty in writing through their Assistant Chief.

Effective 01/2014
R5.02.008 ATTORNEY INTERVIEWS. In criminal cases, LPD staff will not interview with defense attorneys without approval from their Assistant Chief or the prosecuting attorney. In civil cases, they will not interview with attorneys other than those representing the employee or the City without approval from their Assistant Chief or a City attorney. Assistant Chiefs should consult with the appropriate attorney before approving interviews.

R5.02.009 DEFENSE WITNESS. LPD staff will notify the appropriate prosecutor as soon as practical before testifying as a defense witness. They will get prior approval from their Assistant Chief before wearing an LPD uniform to testify as a defense witness.

R5.02.010 LAWSUITS. LPD staff who are served documents as defendants in lawsuits due to their official duties will IMMEDIATELY bring the ORIGINAL DOCUMENT to the Administration Section Captain or Internal Affairs Supervisor. Failure to respond to the suit within the required time could result in a judgment by default against the employee and the City.

R5.02.011 CIVIL COURT EXPENSES. LPD staff subpoenaed in civil cases will ask the party who subpoenaed them to pay expenses.

R5.02.012 CIVIL COURT APPEARANCES. LPD staff will make prior arrangements through their supervisor for time off to appear.

R5.02.013 MULTIPLE LPD WITNESSES. LPD staff will notify their Assistant Chief when several of them have been subpoenaed for one case. The Assistant Chief will coordinate who must go and in what capacity.

Effective 01/2014