

LEWISVILLE POLICE DEPARTMENT

GENERAL ORDER MANUAL



DISCLAIMER

These procedures are for department use only and do not apply in any criminal or civil proceeding. The department procedures should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. Violations of these procedures will only form the basis for department administrative sanctions.

A handwritten signature in black ink, appearing to read "Kevin Deaver", is positioned above a horizontal line.

KEVIN DEEVER
CHIEF OF POLICE

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER MANUAL
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*Highlighted text throughout these General Orders denotes that the specific policy item is related to the TPCA Recognition Program.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.1

SUBJECT: GOALS AND PHILOSOPHY

**DATE OF ISSUE:
03/31/99**

INTRODUCTION

The rules, regulations, and procedures contained in the Department manuals are published for the information and guidance of all members of the Lewisville Police Department. It is the duty of all members of the Lewisville Police Department to be familiar with these policies and to comply with them.

Every member must understand that these rules and regulations are not intended to cover every case which may arise in the discharge of police duties. Each individual must exercise discretion based on sound judgment.

As members of the Lewisville Police Department, you have assumed responsibilities of great importance. You must enforce the laws of the State of Texas and the ordinances of the City of Lewisville and protect all rights guaranteed by the U.S. and Texas Constitutions. You have chosen a most honorable calling.

Your acts will, at all times, be subject to the observation and possible criticism of the public. The welfare of the community, the reputation of the Department, and your success as a public safety employee will depend upon your personal philosophy, the manner in which you approach your assignment, and the course of personal conduct you pursue, both on and off duty.

Nearly all strengths or weaknesses in law enforcement may ultimately be traced to the competency and efficiency of commanding officers. Superior officers of this department are responsible for the conscientious and proper application of the regulations contained in this manual.

Command and supervisory personnel must exhibit outstanding leadership qualities. Command is synonymous with initiative and self-reliance. Excuses to evade responsibility are not acceptable. To say that orders have been given to employees will not relieve one from responsibility. If employees fail to perform their duties properly, the causes must be ascertained and remedial action taken.

The policies and philosophies of this department are embodied in the following statements.

MISSION STATEMENT

Through a partnership with the community, the mission of the Lewisville Police Department is to solve problems and increase public safety in a manner that is fair, impartial and transparent.

ORGANIZATIONAL PHILOSOPHY

Efficient and effective accomplishment of the department mission is facilitated by:

1. The grouping of functionally related tasks within appropriate Department units;
2. The delegation of clearly defined responsibility and authority in specific areas of activity;
3. The provision of a specific and appropriate chain of command;
4. The resolution of differences and decision making at the lowest possible level of authority;
5. The coordination of complementary functions of internal units to prevent divisive conflicts or duplication of effort; and
6. Emphasizing community service and customer relations.

These concepts are not exclusive. The Department shall continually seek new and better ways of serving the public through innovation.

PERSONNEL DEVELOPMENT

The Department is committed to proper placement of employees. It strives to provide career development and realization of employee capabilities. Each member of the Department, regardless of his assigned task, is important.

The Department is obligated to attract the most qualified men and women available for appointment into the police service. The future leadership of the department and continued advancement of the law enforcement profession will depend upon those selected.

Training is a continual process involving all members. The purpose of training is the professional development of personnel and the efficient and effective accomplishment of Department goals.

Training is a responsibility of command. Each supervisor and commanding officer is obligated to provide training to his subordinates.

All members of the Department are encouraged to advance their formal education for the purpose of increasing their ability and potential. The Department shall, whenever possible, schedule work hours to aid employees in their pursuit of education. However, operational needs of the Department

shall be the deciding factor in scheduling.

DISCIPLINE

Discipline is a mental attitude which fosters proper conduct through voluntary compliance with policies and regulations. It prompts individuals and groups to willingly conform to desirable patterns of conduct. Proper discipline creates harmony and efficiency, coordination of efforts, high morale, and public support. Discipline is not synonymous with punishment. Discipline is an internal strength which causes one to act appropriately in the accomplishment of goals.

The actions of a few will result in violations of rules, regulations, orders, and may require sanctions. When necessary, this action must be administered promptly and equitably in order to be effective. In determining the action to be taken, a supervisor must consider the motive, intent, or reason for the violation. Disciplinary action must be viewed as a learning process. Every effort should be made to enable the offender to recognize this.

Discipline is a responsibility of command. Supervisory and commanding officers are given authority to fulfill their responsibilities and are expected to exercise it. When repeated misconduct occurs despite disciplinary action, a determination must be made as to whether the fault rests with the offender, his supervisor, or other circumstances.

ALLEGATIONS OF MISCONDUCT

Employees working for the Lewisville Police Department have an obligation to police themselves. The standard of conduct which police employees must maintain is on a higher level than that expected of the average citizen. They must not only avoid misconduct but also the appearance of misconduct. In order to protect both the citizens and the police, the department must thoroughly and objectively investigate all complaints and allegations. Unfortunately, some citizens falsely accuse police employees of misconduct. A thorough and objective investigation will vindicate and support the officer who is the object of such an un-sustained allegation. An employee shall be considered innocent until proven guilty.

Thorough and objective investigation will also reveal the officer who has betrayed the trust placed in him. Failure to take appropriate disciplinary action undermines public confidence, support, and damages the morale of the entire Department.

To protect innocent employees from unwarranted and injurious publicity, information resulting from investigations will be treated as confidential unless otherwise directed by the Chief of Police.

The employee who makes no mistakes is the employee who takes no action. There must inevitably

be some honest mistakes in judgment. Some unintentional mistakes are expected and excusable. However, any effort to conceal or deny the same is not justified. Openly admitting a mistake is the first step toward correcting it and preventing its recurrence.

RECORDS AND CRIME STATISTICS

All information about public safety incidents reported to the Department must be recorded accurately and completely. This helps identify trends and patterns and facilitates investigation. Data analysis permits the development of effective police action.

Statistics reflect only those incidents which are reported. They do not indicate all incidents that occur. The public should be encouraged to report all crime and traffic problems. The data enables the police to be more effective in solving public safety problems.

VICE AND ORGANIZED CRIME

Gambling, prostitution, traffic in controlled substances, and illegal operation of liquor establishments provide fertile ground for organized criminal activity.

Conditions that foster organized crime activities are not to be tolerated. Each officer is responsible to report or take appropriate action concerning any suspected violation. He will be guided by official policy and procedural statements which will aid him in properly enforcing vice laws.

CRIME AND CRIME PREVENTION

Criminality is a problem for the entire community. We are charged to prevent and suppress crime and to identify offenders once crime occurs. We shall do these things to the best of our ability. To do this, we require and must strive to obtain the active cooperation, assistance, and support of the citizens we serve.

Two elements are necessary for a crime to occur: the desire of the offender to commit the crime and the opportunity for him to do so. Police efforts are primarily directed toward eliminating and minimizing the opportunity.

The most effective means available to the police for crime prevention is meaningful deployment of available personnel in accordance with demonstrated need. Aggressive crime prevention activities by both police personnel and citizens are necessary.

ENFORCING THE LAW

The primary purpose of law enforcement is to regulate individual members of society thereby enabling all citizens to be free of criminal attack. Law enforcement must address those who interfere with the rights and personal safety of others by engaging in criminal activity.

Officers must exercise discretion while enforcing the law because of limited resources, the ambiguity of some laws, and because there are often methods more effective than arrest. When the offense is minor, courteous warning is frequently more effective. Regardless of the nature of enforcement action, scolding, humiliation, inconvenience, and distress must be avoided. We must remain objective and impartial in our contacts. Laws and ordinances exist for the benefit of all citizens without regard to race, religion, sex, social status or ability. Our obligation is to take that action necessary to enforce laws and ordinances with equality and impartiality.

LOYALTY

Every member of the Department must be loyal to his supervisors as long as they are acting lawfully, ethically, and in accordance with Department policy. Loyalty must be reciprocal in nature. Supervisory and command personnel must be concerned for the welfare of their employees and fully support them in their proper actions. This does not include, however, protecting them from just consequences of misdeeds.

Although there must be loyalty among police employees, dedication and loyalty to the proper operation of the organization should transcend individual loyalties. An overprotective attitude toward a fellow employee who violates the law or Department regulations is damaging to all professional law enforcement employees and the citizens they serve.

LAW ENFORCEMENT CODE OF ETHICS

All Lewisville Police Officers will subscribe to the following:

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential

nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.2

SUBJECT: POLICE AUTHORITY

(Std. Ref. 2.03)

DATE OF ISSUE:

03/31/99

POLICY

The authority vested in the Lewisville Police Department is granted by the people we serve. It is articulated by the State Legislature. This order explains the source of the Department's authority.

PROCEDURE

I. HOME-RULE MUNICIPALITY

The City of Lewisville is a Home-Rule Municipality as provided by the Texas Local Government Code. Title II, "Public Safety", Section 341.003 authorizes a Home-Rule Municipality to form a Police Department.

A. City Charter

1. The rules governing the City of Lewisville are contained in the City Charter. Article 4, Section 02 of the Charter provides for the establishment of a Department of Police. It further provides for a Chief of Police to be the chief administrative officer reporting to the City Manager.
2. This Charter requires every person appointed as a police officer to take and subscribe to the oath of office which is filed and kept in the office of the City Secretary.

"I, _____ do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Police Officer, of the City of Lewisville, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and Laws of the United States and of this State and the Charter and Ordinances of this City; and I furthermore solemnly swear (or affirm) that I have not directly or indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money or valuable thing, or promised any public office or employment as a reward for the giving or withholding a vote at the election at which I was elected, or if the officer is one of appointment, to serve my appointment. So help me God."

B. Jurisdiction/Authority

1. Employees hired as Police Officers must hold a Texas Peace Officer license and be sworn in before performing law enforcement duties for the agency.
2. Lewisville Police Officers have full authority as described in CCP 14.03 and other applicable statutes.
3. Lewisville Police Officers have jurisdiction on traffic violations only within the Lewisville City limits or in areas where the City has contracted to provide law enforcement service.
4. Lewisville Police Officers have jurisdiction on City ordinances only within the City limits of Lewisville.
5. Officers must submit a detailed report to the Chief of Police anytime they make an arrest outside the city limits unless the arrest is pursuant to an investigation of an LPD case.

II. CODE OF CRIMINAL PROCEDURE

- A. Article 2.12 specifies that police officers of an incorporated city are peace officers.
- B. Article 2.13 enumerates the duties and powers of peace officers.
 1. Preserve the peace.
 2. Prevent or suppress crime.
 3. Execute all lawful process issued by a magistrate or court.
 4. Report to a magistrate all offenses committed within his jurisdiction.
 5. Arrest without warrant where authorized by law.
- C. Article 14.03 describes authority of municipal police officers in and out of their jurisdiction.

III. PENAL CODE

- A. Section 9.51 defines a peace officer's authority to use force in making an arrest or search.
- B. Section 9.52 defines a peace officer's authority to use force in preventing escape.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.3

SUBJECT: ORGANIZATION
(Std. Ref. 1.08)

DATE OF ISSUE:
10/01/01

POLICY

In order to provide effective and efficient use of personnel and other resources, the Department is organized to ensure unity of command, grouping by function, and clear lines of authority and responsibility. This order describes the organization.

PROCEDURE

I. STRUCTURE OF THE LEWISVILLE POLICE DEPARTMENT

A. Office of the Chief of Police

1. The Chief of Police is the commanding officer of the Department and is responsible and accountable to the City Manager for the following:
 - a. Successful accomplishment of the Department mission which includes protection of life and property, crime prevention, preservation of the peace, and regulation of traffic.
 - b. Planning, staffing, directing, coordinating, and controlling all functions and activities to ensure effective and efficient operation of the Department.
 - c. Maintenance of positive relations with the public and other organizations and agencies.
2. Assistant Chiefs are bureau commanders and report to the Chief of Police and are responsible for the management of Department components as assigned by the Chief of Police.
3. The Chief of Police may establish standing employee committees designed to deal with department issues and provide a recommendation for action. Each of the below committees is chaired by a police captain. Every odd-numbered year, the captains that head these committees will rotate to a different committee. Listed below are standing committees and their role in the department.

- a. Awards Committee – See General Order 2.7, Awards Program, Section III, for a full description of their responsibilities.
- b. Safety Review Committee – A committee made up of sworn personnel to review all response to resistance reports, worker's compensation injuries, accidents involving department personnel, and police pursuits. The committee meets monthly to review the aforementioned incidents to determine policy violations, if any. Should the committee determine that any incidents are deemed chargeable to the employee (meaning the employee violated a policy or safety rule resulting in damage and/or injury to any person involved in the incident), this information is forwarded to sworn administrative staff to determine if any corrective action is needed.

B. Organization Chart

1. The Department's personnel are assigned to various divisions and sections to accomplish the Department's mission.
2. The most recent Department organization chart is a part of this General Order. Due to the changing nature of the problems encountered in the delivery of police service, the organization chart is subject to change in order to meet new demands.

II. PRINCIPLES OF ORGANIZATION

A. Chain of Command

All employees are required to promptly obey any lawful order, directive, or instruction from a higher-ranking officer or supervisor or relayed from a supervisor by an employee of the same or lesser rank. At the same time, the Department actively solicits participation from all employees in the formulation of goals, objectives, policies, and procedures that generate these orders, directives, and instructions.

1. Rank Structure (Sworn)
 - a. Chief of Police
 - b. Assistant Chief – Bureau Commander
 - c. Captain – Division Commander
 - d. Sergeant
 - e. Officer/Detective

2. Rank Structure (Non-Sworn)

- a. Manager
- b. Coordinator
- c. Supervisor
- d. Employee

3. Employees seeking guidance, clarification, or assistance in complying with an order, directive, or instruction will confer with their immediate supervisor. If conflict cannot be resolved at this level, it will be presented to the next higher authority in progression; exceptions are:

a. Personal Matters -

Any employee wishing to talk to the Chief of Police or other ranking officer about a personal matter may bypass the Chain of Command. These matters must be non-operational.

b. Committees -

Persons serving on committees or assigned to special projects may work directly with Supervisors or Commanders outside the Chain of Command.

B. Unity of Command

- 1. Each section or component of the Department is headed by a specific supervisor.
- 2. Under normal operating conditions, the highest-ranking officer present will assume command of any given situation. However, when members of two or more sections or components are involved in a criminal investigation, the ranking member present from the section or component responsible for the follow-up investigation and conclusion of the case will assume responsibility and take command of the investigation and crime scene.
- 3. In critical incidents, procedures outlined in General Order 4.5 "Critical Incident Response" will apply.

C. Span of Control

The Department will strive to maintain a manageable span of control for each supervisor. The number of employees supervised by any supervisor will depend on the nature of the assignment and availability of resources.

D. Authority and Responsibility

1. A Department Supervisor of the rank of Sergeant or above will always be on duty. The highest-ranking patrol supervisor on duty serves as the Watch Commander.
2. Each employee shall have the authority to fulfill the responsibilities of his assignment. Objectives will be accomplished and problems will be resolved at the lowest possible level of the Department.
3. Each employee is accountable for:
 - a. The proper exercise of vested authority;
 - b. Any failure to exercise vested authority; and
 - c. Fulfilling the responsibilities of his assignment.

E. Management Accountability

Each Commander, Manager, Coordinator or Supervisor shall be accountable for:

1. Knowing and understanding the philosophy, mission, written directives, and goals of the Department and for providing these ideas to all subordinates assigned to his Unit.
2. Maintaining discipline and ensuring that operations are conducted according to policy and procedure.
3. Providing training to subordinates in order to maximize efficiency.
4. Contributing to the formulation of Department goals and the development of strategies to accomplish these goals.

F. New Assignments

All employees will report to their immediate supervisor on the first day of a new assignment when changing sections or divisions for orientation. Normal shift changes within a division or section do not apply.

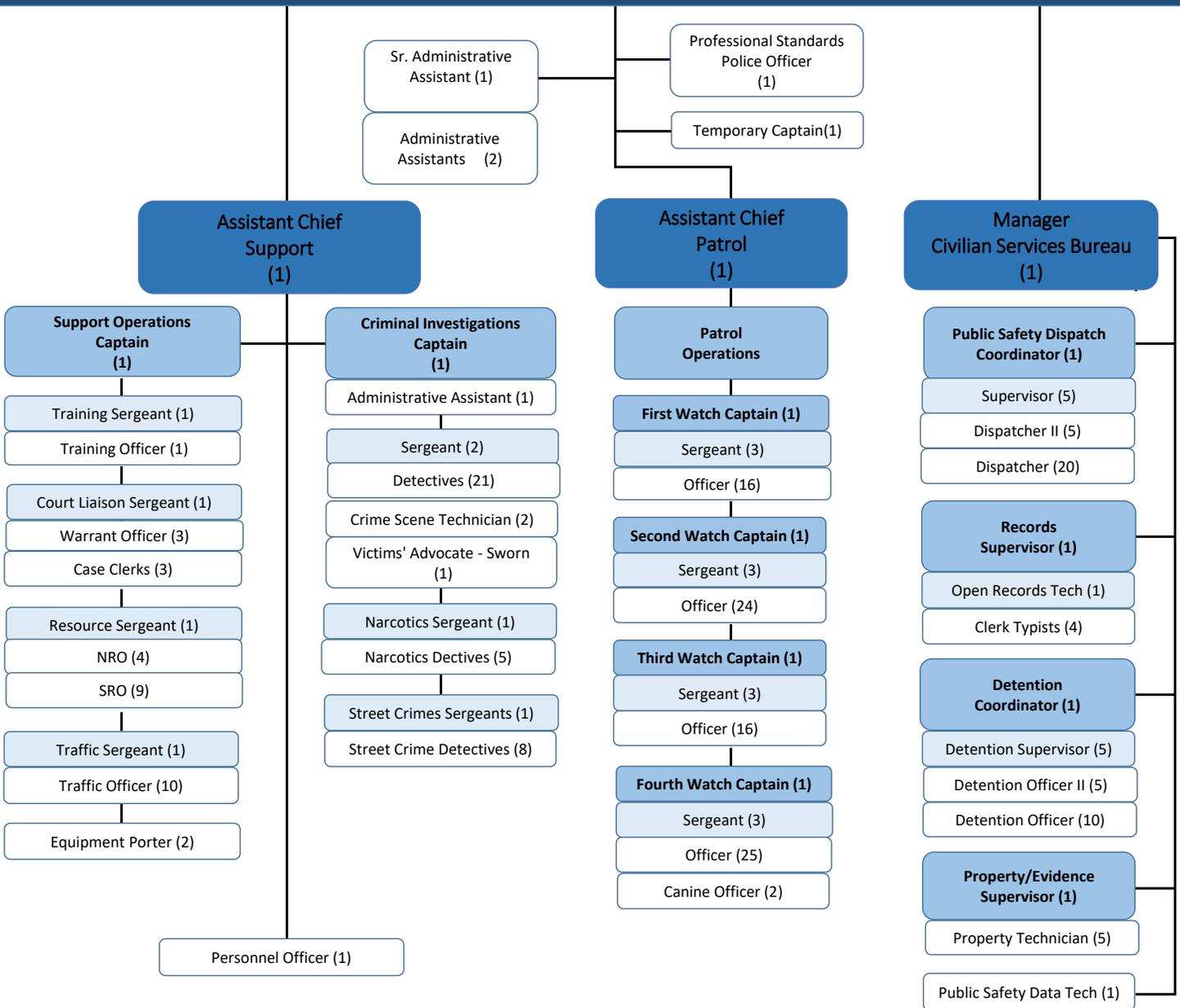
G. Administrative Duty Officer (ADO)

The Administrative Duty Officer is a command officer of the rank of captain or higher available for providing management oversight to line personnel after normal business hours for special or critical incidents. The senior captain in the Support Bureau will maintain the ADO schedule. The ADO is responsible for the following:

1. Being available by pager or wireless communication during their designated week on call.
2. Notifying the appropriate Bureau Commander, the Chief of Police, City Council, and/or the City Manager's office of incidents when appropriate, either by direct telephone conversation or voice mail.
3. Responding to Critical Incidents as outlined in General Order 4.5, Critical Incidents

POLICE DEPARTMENT Organizational Chart

Chief of Police



Administration: 10 *Public Safety Systems Administrator (Not Included)
 Support Bureau: 80
 Patrol Bureau: 97
 Civilian Services Bureau: 65
TOTAL POSITIONS: 252

POLICE DEPARTMENT
Organizational Chart

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.4

SUBJECT: WRITTEN DIRECTIVES
(Std. Ref. 1.04, 1.13)

DATE OF ISSUE:
01/15/97

POLICY

Written directives represent the guiding principles, policies, and procedures for the Lewisville Police Department. These directives determine how the Department will accomplish its mission. All personnel are responsible for knowing, understanding, and carrying out all provisions of all Department directives issued to them. The Department will provide all personnel with information concerning new, revised, or cancelled directives. This order establishes definitions, format, and authority for the preparation and issuance of Department written directives.

PROCEDURES

I. DEFINITION AND ISSUING AUTHORITY

A. General Orders

1. Orders directed to all members of the Department concerning organizational structure, rules, regulations and procedures which affect more than one organizational unit.
2. The Chief of Police is responsible for issuing, rescinding, and approving all General Orders.

B. Procedural Orders

1. Orders describing the methods to be used for carrying out the activities of a particular organizational unit.
2. The Chief of Police is responsible for issuing, rescinding, and approving Procedural Orders.

C. Special Orders

1. Statements of policy or procedure regarding circumstances or events which are temporary in nature.
2. Special Orders are in effect for one year from the date of issue unless otherwise specified.

3. The Chief of Police is responsible for issuing, rescinding, and approving all special orders.

D. Personnel Orders

1. Orders implementing or explaining changes in personnel status such as assignments, transfers, and promotions.
2. The Chief of Police is responsible for issuing, rescinding, and approving all Personnel Orders.

E. Inter-Office Communication or Memorandum

1. Interoffice or inter-personnel letter used to clarify, inform, and inquire.
2. When issued by a supervisor to a subordinate employee, the memorandum is a supervisory directive.
3. A memorandum may originate at any level of the Department.

F. Electronic Mail – Email

1. Use of the City electronic mail system may substitute for use of a memorandum for inter-office or inter-personnel communication. When issued by a supervisor to a subordinate employee, an Email is to be considered a supervisory directive.
2. An Email may originate at any level of the Department.
3. On each work day, Police Department employees are responsible for accessing, reading, and responding to their City Email. On their last work day of each week, employees are encouraged to check their Email near the end of shift to increase their opportunity to receive or provide needed information.

II. GENERAL GUIDELINES FOR PREPARATION OF WRITTEN DIRECTIVES

- A. The Department encourages review and comments on new or revised General Orders and Procedural Orders. Whenever practical, proposed directives will be presented to all members of the Department prior to implementation. Comments and suggestions will be encouraged. It should be noted by all employees that some directive topics leave little or no choice as to their content due to legal issues, management responsibility, or directions from the Council and City Administration.

- B. Ideas and concepts for new or revised General Orders or Procedural Orders may originate at any level of the Department and will be submitted to the Chief of Police in writing for consideration.
- C. All Department General and Procedural Orders will be reviewed at least once each year to certify that all directives meet state law. The Administrative Support Captain is responsible for the review of written directives. Any suggested changes to the written directives will be presented to the Chief of Police for consideration.
- D. A standardized format will be used in the preparation of all written directives. All Department General and Procedural Order originals will be maintained in PowerDMS. The Chief of Police may sign one page electronically for the entire manual rather than each individual order for annual revisions.
- E. General and Procedural Orders will remain in force until otherwise rescinded or amended by the issuing authority.
- F. The chief's administrative secretary will send out changes and updates on any new or revised General Orders, Procedural Orders, or City of Lewisville Administrative Directives. These updates must be acknowledged by all police employees by way of completing the prescribed receipt method, indicating they have reviewed and understand the new policy.
- G. The Support Operations Captain is responsible for the department maintaining compliance with the Recognition Program Best Practices.

III. FORMAT AND INDEXING OF WRITTEN DIRECTIVES

- A. General Orders
 - 1. The words "Lewisville Police Department General Order" will appear in the upper left corner of the first page. The subject of the order will appear below that. Revision and most recent review dates are noted at the bottom of the first page of each order.
 - 2. The number of the order and the date of issue will appear in the upper right corner of the first page.
 - 3. The order number and page number will appear in the upper left corner of subsequent pages.
 - 4. Each order will contain two parts:
 - a. Policy – This is a broad statement of Department principles which

provides the framework for the procedures, rules, or regulations which are the subject of the order.

- b. Procedure – This is the description of the actual procedures, rules, or regulations relating to the subject of the order.
5. General Orders will be assigned a serial number and to one of four sections:
 - a. 1.0 Administration
 - b. 2.0 Personnel
 - c. 3.0 Training
 - d. 4.0 Operations
 6. General Order serial and section numbers will be assigned by an official designated by the Chief of Police.

B. Procedural Orders

1. The words “Lewisville Police Department” will appear in the upper left corner of the first page. The name of the applicable division and the words “Procedural Order” will appear below that. The subject of the order will be printed below the division and the words “Procedural Order.”
2. The order number and date of issue will be printed in the upper right corner.
3. The order number and page number will appear in the upper left corner of the subsequent pages.
4. Each order will contain two parts:
 - a. Purpose – Explains the reason or need for the order.
 - b. Procedure – Contains the actual guidelines or procedures for accomplishing the task which is the subject of the order.
5. Procedural Orders will be assigned a serial number by an official designated by the Chief of Police. The division code letter precedes the serial number:
 - a. C - CID
 - b. COM - Communications
 - c. E - Evidence
 - d. J - Jail
 - e. P - Patrol
 - f. R - Records

C. Special Orders

1. The words “Lewisville Police Department Special Order” will be printed in the upper left corner of the first page.
2. The subject of the order will appear below that.
3. The number and date of issue will be printed in the upper right corner of the first page.
4. The order number and page number will be printed in the upper left corner of subsequent pages.
5. Special Orders will be assigned a serial number by an official designated by the Chief of Police. The first two digits of the serial will be the year of issue.

D. Memorandum

1. The heading of each memorandum will be typed in the upper left corner of the first page and will consist of:
 - a. TO: The addressee
 - b. FROM: The person sending the memorandum
 - c. DATE: The date of issue
 - d. SUBJ: The subject of the memorandum
2. The person sending the memorandum will place his initials to the right of his name at “FROM.”

E. Electronic Mail – Email

1. Each Email should contain brief information about the Email in the subject field.
2. When appropriate, both the sender’s chain of command and that of the recipient should be placed in the Email’s “CC” field.
3. The “Blind copying” field should be used sparingly.

IV. BRIEFING INFORMATION

- A. Briefing information consists of memos, court notices, and training notices.

- B. Briefing information is posted in a manner designated by the Chief.
- C. All employees are responsible for reading briefing information regardless of their building location or assignment.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.5

SUBJECT: REPORTING REQUIREMENTS
(Std. Ref. 5.01, 5.02 & 5.03)

DATE OF ISSUE:
04/01/98

POLICY

Conscientious and accurate gathering of information is essential for solving public safety problems. Members of the Department will diligently record information concerning criminal offenses, traffic accidents, and other public safety incidents.

PROCEDURE

I. RADIO CALL NOTES

- A. Employees assigned to answer calls for service must provide dispositions (notes) that are logged into the computer-aided dispatch (CAD) system if they do not write a report.
- B. CAD dispositions must be concise, but also provide a clear description of what happened on the call. These dispositions are especially important if a report is not written about a particular event.

II. OFFENSE/INCIDENT REPORTS

- A. If an employee assigned to answer calls for service discovers the elements of an offense while processing a call, he should always write an Offense Report. In some minor incidents, the complainant or victim may request no report. The employee should comply with this request unless compliance would interfere with a more serious investigation. The employee must always write a report if the incident is family violence or a felony crime against persons, if at all possible.
- B. If a person wants to report an incident, he believes to be an offense, the police employee should document the information in the “call notes” of the CAD incident and provide the incident number to the person making the report.
- C. Information Reports will be completed to describe significant public safety incidents which are not criminal offenses. Examples are:
 - 1. Deceased persons;
 - 2. Missing persons and runaways, including seventeen-year-olds;

3. Serious injury to a child as the result of a non-traffic accident;
4. Attempted suicides;
5. Any condition that poses a serious safety hazard for the community;
6. Recovery of property which was stolen from another jurisdiction in which an arrest of the violator is not made; or
7. Any situation that causes an officer or supervisor to think that there is a need for a report.

III. PURSUIT REPORTS

- A. Each officer involved in a motor vehicle pursuit will complete a pursuit report in the Blue Team system. Each unit involved in the pursuit including the deployment of stop stick will complete a New Pursuit Incident in Blue Team.
- B. Officers will submit the Blue Team Pursuit Report to his/her supervisor if they are on-duty. If their supervisor is off-duty, the officer will submit the Pursuit report to an on-duty Patrol supervisor and carbon copy their supervisor.
- C. The receiving supervisor will review the videos in their entirety and the pursuit report for completeness and accuracy notating flagrant unsafe acts or policy violations.
 - a. Regarding the pursuit incident, the supervisor will document flagrant policy violations discovered during the review in the Evaluation System leaving the "Log Type" blank. Formal discipline will be determined at the administrative level.
 - b. Supervisors are responsible to address issues identified that are outside the purview of the Safety Review Committee.
 - c. The supervisor will forward the Blue Team Pursuit report to the Safety Review Committee Chair and carbon copy the chain of command to the Bureau Commander to include all other supervisors of the involved officer(s). If not completed during the shift, the supervisor will notify his chain of command by email of the delay and the anticipated date of completion.

- D. The Safety Review Committee will complete a review of the videos of those officers involved in a pursuit. Their review of video will focus on the event itself. Once the Safety Review Committee completes its review of the incident the Safety Review Committee Chair will forward the Committee's findings to the Chief of Police and Bureau Commanders for review. The Safety Review Committee will submit two memorandums, one detailing their findings of potential policy violations and one focusing on possible training or safety issues.

IV. RESPONSE TO RESISTANCE

- A. An officer must submit a Response to Resistance report in Blue Team whenever the employee:
1. Discharges a firearm outside of the firing range when on duty or in a situation other than a lawful sporting activity or military service while off-duty;
 2. Takes an action that results in or is alleged to have resulted in any injury to another person;
 3. Applies force through the use of a non-lethal weapon; or
 4. Uses a chokehold/stranglehold or carotid artery neck restraint.
- B. Officers will submit the Blue Team Response to Resistance Report to his/her supervisor if they are on-duty. If their supervisor is off-duty, the officer will submit the Response to Resistance report to an on-duty Patrol supervisor and carbon copy their supervisor.
- C. The receiving supervisor will review the videos in their entirety and the Response to Resistance report for completeness and accuracy notating flagrant unsafe acts or policy violations.
- a. The supervisor will document flagrant policy violations discovered during the review in the Evaluation System leaving the "Log Type" blank. Formal discipline will be determined at the administrative level.
 - b. Supervisors are responsible to address issues outside the purview of the Safety Review Committee.

- c. The supervisor will forward the Blue Team Response to Resistance report to the Safety Review Committee Chair and up the chain of command to the Bureau Commander to include all other supervisors of the involved officer(s). If not completed during the shift, the supervisor will notify his chain of command by email of the delay and the anticipated date of completion.

- D. The Safety Review Committee will complete a review of the videos of those officers involved in the response to resistance. Their review of video will focus on the event itself. Once the Safety Review Committee completes its review of the incident the Safety Review Committee Chair will forward the Committee's findings to the Chief of Police and Bureau Commanders for review. The Safety Review Committee will submit two memorandums, one detailing their findings of potential policy violations and one focusing on possible training or safety issues.

- E. The Chief will review the incident to ensure the use of force complies with Department policy. The Chief may establish a committee to assist with this review.

V. INTELLIGENCE REPORTS

- A. Any employee receiving information concerning criminal activity which is suspected, but cannot be confirmed, will write an intelligence report and submit it through channels.

- B. If there is an offense number assigned to the criminal activity, the employee will complete a Supplement Report and submit it through channels.

- C. If the information received is urgent or important in the timely investigation of a case, the employee must immediately notify Communications to generate a call for service or contact a CID Supervisor as appropriate.

VI. REPORT TO THE CHIEF

- A. The Chief of Police needs rapid access to certain types of information. A Blue Team memorandum will be sent to the Chief in any of the following situations:
 - 1. Injury or death to a person in custody.

2. Any significant incident which might be expected to generate unusual community interest.
 3. Whenever requested by the Chief of Police.
 4. Any on-view arrest made outside the City of Lewisville.
- B. The first line in the body of the memorandum shall be “Subj:” followed by the subject of the memorandum, which is then followed by two blank lines.
- C. The supervisor of the employee involved in the incidents described above will write the memo unless otherwise directed by the Chief.
1. The supervisor must complete the memo prior to the end of the tour of duty during which the incident occurred, whenever possible, but in any event the memo must be received no later than the next business day
 2. A copy of the memo will be sent through to the appropriate chain of command.
 3. If another type of report is required for any of the situations listed, a copy of that report must be identified in the memo to the Chief.
- D. In order to ensure that a high quality of customer service is provided by the Lewisville Police Department, personnel should verbally report any significant concern with reference to complaints, requests for information or service delivery concerns reported by any citizen, including elected officials of the City of Lewisville, to their immediate supervisor. The supervisor then would be responsible to report pertinent information following the Chain of Command.

VII. BASICS FOR REPORT WRITING

- A. Comply with the following when writing reports:
1. Strive to spell correctly, especially names of persons, places, and things. This is especially critical to ensure accurate data retrieval.
 2. Identify witnesses and suspects as completely as possible and obtain accurate phone numbers and addresses so that they can be contacted later.

3. Separate witnesses and suspects whenever possible prior to interviewing them. Interview them separately.
 4. Interview all drivers and witnesses involved in traffic accidents prior to arriving at a conclusion as to the cause of an accident.
 5. Use specific terms instead of general ones in descriptions. For example: "a Colt .45 caliber, chrome, semi-automatic pistol, serial number 12345678, with initials J.W. on the ivory grips" is a better description than the word "gun."
 6. Be especially careful to accurately record all numbers. It is easy to transpose them.
 7. Use black ink on all hand-written reports and ensure all reports are legible.
 8. Officers will attempt to complete all reports during the shift on which an incident occurs. When this is not possible, the Watch Commander will arrange for completion on overtime or on the next regular shift.
- B. Always interview witnesses and suspects in a calm, confident, and dignified manner. Keep in mind that you are a professional investigator and your objective is the complete and accurate truth.
- C. Supervisors will review all reports written by their employees before the reports are sent to the Records Section. Supervisors must place their initials and identification numbers in the appropriate places on handwritten reports and follow the correct approval procedures for approving automated reports. Supervisors are responsible for the quality of reports.

VIII. RECORDS MANAGEMENT

- A. The Records Section is managed by a supervisor who is the department's official custodian of records. The Records Supervisor shall receive adequate training to ensure they maintain compliance with the city's records retention schedule on file with the State of Texas and all applicable laws with respect to the Public Information Act.
- B. The police department shall maintain all the official department records as required by this order whether they are in hard copy form or digital media.

- C. The privacy and security of departmental records are critical to the agency's success in conducting investigations. Records such as arrest reports, offense reports, criminal history reports and other sensitive reports must be secured to prevent unauthorized access.
 - 1. Requests to view or access official department records is controlled by the use of secure digital access to the Records Management System (RMS) and assigned 'rights' commensurate with the employee's rank and position.
 - 2. Requests to view 'hard copy' records in the Records Section are directed to any records clerk on duty at the time of the request.
 - 3. After normal business hours (Monday through Friday from 8:00 am to 5:00 pm), the Records Section will be locked and accessible by having a records clerk return to work to grant access or those department employees already approved for access with a key according the Federal CJIS guidelines.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.6

**SUBJECT: BUILDING CLEANLINESS AND
CARE OF EQUIPMENT**

**DATE OF ISSUE:
01/15/96**

POLICY

A clean environment is important for employee health and productivity. Likewise properly functioning equipment is essential for the safety of employees and citizens. The purpose of this order is to ensure proper care of buildings and equipment assigned to the Lewisville Police Department.

PROCEDURE

I. BUILDING CLEANLINESS

- A. Each employee is responsible for the cleanliness of his immediate area. This responsibility includes:
1. Wiping up any spills.
 2. Depositing trash in proper receptacles.
 3. Storing supplies and equipment in an approved manner.
- B. Each employee is responsible for helping to maintain the cleanliness of common areas such as hallways, lobbies, locker rooms, toilets, lounges, kitchens, and break rooms. This responsibility includes:
1. Wiping up any spills.
 2. Depositing trash in proper receptacles.
 3. Wiping up water, mud, ice, dirt, or any other substance tracked into the building.
 4. Refraining from spitting into drinking fountains or trashcans or onto the floor.
 5. Flushing toilets after use.

6. Cleaning and properly storing dishes, cups, glasses, eating utensils, and cookware.
 7. Throwing away uneaten or spoiled food.
- C. No one will write or paint on walls or floors without prior approval of the commander in charge of facilities.
- D. No one will make any alterations, additions, or deletions to the building without prior approval of the commander in charge of facilities. This limitation includes the hanging or attachments of paintings, pictures, photographs, posters, drawings, or any other item onto the walls, ceiling, or floor.

II. CARE OF EQUIPMENT

- A. Each employee is responsible for the proper care and use of any department equipment used by that employee in the course of his employment. In this order, equipment includes but is not limited to office machines, tools, computer devices, firearms, vehicles, uniforms, protective clothing, non-lethal weapons, electronic devices, ammunition, chemical agents, and explosives. Proper care and use includes:
1. Using equipment in the manner it was designed to be used.
 2. Performing regularly scheduled or required maintenance and cleaning.
 3. Reporting all equipment malfunctions, breakage, or failures.
 4. Storing equipment in the proper manner and location.
 5. Locking all vehicles when the operator is unable to view the vehicle except in emergency situations.
- B. The following activities are prohibited:
1. Reckless or negligent use of equipment.
 2. Intentional damage to equipment.
 3. Unauthorized alteration to equipment.
 4. Unofficial use of equipment.

5. Use or carry of personally owned equipment during the performance of duties without written approval from the Chief of Police or his designee.

III. ISSUED EQUIPMENT AND UNIFORMS

- A. Each employee is responsible for equipment issued to them.
- B. The Quartermaster will maintain a list of equipment issued to each employee.
- C. Employees will acknowledge receipt of equipment by signing the “issue receipt.”
- D. Upon separation from the Department, employees will return all issued equipment to the Quartermaster or a Division Captain. The recipient will sign the supply room inventory log, indicating that all issued equipment has been laundered or cleaned and returned in satisfactory condition.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.7

SUBJECT: CITATION BOOKS
(Std. Ref. 7.22)

DATE OF ISSUE:
01/02/14

PURPOSE:

The purpose of this policy is to establish guidelines for the issuance and security of citation books. Security of citation books prior to issuance and after is paramount due to the legal nature and authority citations have on citizens of the community.

PROCEDURE:

I. STORAGE OF NON-ISSUED CITATION BOOKS

- A. Citation books will be kept and stored in a locked filing cabinet in the patrol supervisor's office.
- B. Patrol supervisors shall be the only ones who have access to the filing cabinet.
- C. A log will be kept in the locked cabinet documenting the inventory and issuance of citation books.
- D. The issuance of citation books will document, by initials, the following:
 - 1. Which citation books should be present in the cabinet,
 - 2. Which supervisor issued specific citation books,
 - 3. Which officer received specific citation books, and
 - 4. The date of issuance.
- E. The "day watch" patrol captain shall check the inventory monthly to ensure all citation books are accounted for and document that inspection in the log.
- F. Supervisors shall not issue citation books to themselves.

II. ISSUANCE OF CITATION BOOKS

- A. Patrol supervisors will have the responsibility of issuing new citation books to officers.
- B. Patrol supervisors will log the issuance of citation books to officers in a log that is kept and stored in the locked cabinet.
- C. Patrol supervisors will ensure that the citation book has all sequential numbered citations present in the book before issuance.
- D. Officers receiving citation books will ensure the citation books contain all sequential numbered citations before accepting the citation books.

III. SECURITY OF ISSUED CITATION BOOKS

- A. It is the responsibility of each officer to ensure they maintain security of the citation books issued to them.
- B. If an officer loses a citation book, the officer shall complete a memo to the chief of police as soon as practicable after the loss.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.9

SUBJECT: FILING AND DISMISSING CASES

**DATE OF ISSUE:
01/15/97**

POLICY

The filing of criminal charges against an individual must always be based on probable cause. To ensure the integrity of the Department, all investigations, case preparation, and testimony must be done professionally and without unwarranted interference.

PROCEDURE

I. CASES FILED WITH THE DISTRICT ATTORNEY

- A. A supervisor must review and approve each Case Report filed with the District Attorney. Approval is documented by the supervisor's signature on the Case Report Form.
- B. No one will ask the District Attorney to dismiss any case without prior written approval from the Chief of Police. Any time an officer requests dismissal, he will document all reasons in a supplement to the Offense Report and forward to the Chief of Police for approval.

II. CASES FILED WITH THE CITY PROSECUTOR

- A. Any time an officer wants to dismiss a case filed in City Court, he must submit a written "Motion to Dismiss" to the Court through the Chief of Police for approval. The motion must clearly explain why the case should be dismissed. The "Motion to Dismiss" form is provided to the Police Department by the Municipal Court.
- B. No one will void or destroy any citation or Arrest Report after it has been started. The ticket or Arrest Report must be completed and appropriate procedures for dismissal followed if the situation warrants. If a citation form must be destroyed because of an error, a "Motion to Dismiss" must be sent to the Chief of Police as in II.A., even if a subsequent citation form is issued to the violator.

III. INTEGRITY OF CASES

- A. Supervisor arrest reviews are required on each arrest. A supervisor must release any person from jail when an arrest review indicates the person is being held without probable cause. See General Order 4.10, Jail Operations.

- B. A supervisor may submit a “Motion to Dismiss” to the Municipal Court if prosecution of a case would be detrimental to the interests of justice or if an individual has provided productive information for the investigation of a criminal offense. Any such motion must be approved by the Chief of Police
- C. With the exceptions listed in Section A and B, no employee will contact any prosecutor, judge, or court employee with the intent of seeking any kind of dismissal, deferment, leniency, or special consideration for a defendant in a case filed by the Lewisville Police Department.
- D. Any request for dismissal based on the officer’s inability to remember will be subject to administrative review. All case documents are available for review. In the preparation of such documents, employees must make them as informative as possible so as to provide professional testimony.
- E. If any employee believes a case is being filed or investigated unlawfully, he must immediately notify the Chief of Police through the Chain of Command.
- F. Except for crimes in progress, no employee will investigate, file for prosecution, or make an arrest in any case involving, a business associate, or any other person with whom the employee has a close relationship as outlined in the city’s nepotism policy. This rule applies if the person is a victim, suspect, or witness and is meant to ensure objective performance.
 - 1. Employees faced with this situation should notify a supervisor and request that the incident be assigned to another officer.
 - 2. This does not mean that friends or relatives are exempt from law enforcement. For example, if an officer stops a relative for driving while intoxicated, the officer should request another officer to make the arrest. If conditions make this impractical, the officer must make the arrest to prevent the risk of injury.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.10

SUBJECT: PUBLIC SAFETY DATA SYSTEMS

**DATE OF ISSUE:
03/31/99**

POLICY

Information contained in law enforcement data systems is restricted by law, Inter-Agency Agreement, or Department Policy. These restrictions are necessary to protect individual privacy rights and to ensure efficient operation of data systems. Information on Department data systems is for official business only.

PROCEDURE

I. USE OF NCIC/TCIC/REGIONAL DATA BASES

- A. Personnel may request information from these data bases only in the course of legitimate law enforcement activities and must comply with TLETS rules.
 - 1. With the exception of the Public Registered Sex Offender File, information gathered from these databases may only be disseminated to Criminal Justice personnel with a legitimate interest in a criminal investigation.
 - 2. Use of information from these databases for personal use is absolutely forbidden. Unauthorized use of these systems may constitute a criminal offense.
 - 3. Dissemination of information from the TCIC Public Registered Sex Offender must comply with TCIC rules and public requests must be in writing.
- B. Information from these databases will be provided to on-duty personnel on request. Information will not be provided to off-duty personnel.

II. USE OF MOTOR VEHICLE DIVISION (MVD) AND DRIVER'S LICENSE (LIDR) DATA BASES

- A. The Lewisville Police Department has a formal user's agreement with DPS that stipulates our terminals will be used only for law enforcement purposes. Therefore, use of these systems is restricted.
- B. Information from these databases will be provided to on-duty personnel on request. It will not be provided to off-duty officers. Personal information from any motor

vehicle record is confidential. Personnel must be very careful to use this information for legitimate criminal justice purposes only.

- C. Citizens requesting information regarding a Texas vehicle registration will be referred to the Department of Motor Vehicles. Citizen requests for Texas Drivers' License information will be referred to the Department of Public Safety.

III. USE OF LEWISVILLE POLICE DEPARTMENT DATA BASES

- A. Criminal history and investigative information stored in LPD computers is protected in the same way as information stored in NCIC, TCIC and Regional systems.
- B. Dissemination of copies of automated records must be in compliance with the Texas Public Information Law (Government Code, Chapter 552).
- C. Statistical data stored in LPD computers is used for deployment of resources, planning, and public information. Any employee developing statistical data for publication or public programs must first clear the data with the Chief of Police, or an Assistant Chief to ensure accuracy. If the data is available in an officially published Department statistical report, clearance is not required.

IV. OFF-DUTY REQUESTS

- A. In general, information from any of the data bases listed in this order is not available to off-duty personnel.
- B. If an off-duty employee is faced with a situation that is a threat to safety and use of the database would help eliminate the threat, that employee may contact the on-duty Watch Commander and request the data.
- C. The Watch Commander must then determine if there is a legitimate law enforcement need to disseminate the data.

V. USE OF MOBILE OR PORTABLE TERMINALS

- A. All regulations in this order apply to mobile or portable terminals or computers.
- B. Always safely stop a vehicle before using a mobile or portable device unless there is an imminent risk to public safety which requires immediate access to data.
- C. Be especially careful if mobile use of a device is required.

VI. MESSAGE CRITERIA

- A. All messages in the Public Safety Computer System (including MDTs, MCTs, and portable devices) are owned by the City of Lewisville. All messages transmitted via any portable device, including MDTs and MCTs, are considered public record and must survive public scrutiny.
- B. The system is for official business only.
- C. Personal use is not permitted. The following are examples of personal use:
 - 1. Party announcements;
 - 2. Notification of political meetings or events;
 - 3. Information related to organized labor activity;
 - 4. Job notices for employment with any entity other than the City of Lewisville;
 - 5. Political endorsements; or
 - 6. Notices of personal property for sale or giveaway.
- D. All messages should be limited to essential and pertinent information. Use of profanity, language perceived to be harassment, derogatory comments, or racial/ethnic slurs are forbidden

VII. SOFTWARE

- A. Only licensed software approved by the Chief of Police and the Information Technology Services division will be loaded into Department computers.
- B. Software may not be copied from Department computers without approval of the Chief of Police.

VIII. ABUSE OF DATA BASES

- A. Use of automated data services in violation of this directive is a serious threat to the department's credibility.
- B. Violation of this directive could include criminal prosecution and dismissal from the Lewisville Police Department.
- C. City of Lewisville Administrative Policy, 5.1.0, Electronic Communication Systems, is incorporated as part of this General Order.

IX. ACCESS SECURITY FOR FCRA (CREDIT CHECKS THROUGH EXPERIAN)

- A. All credentials such as subscriber code number, subscriber code passwords, user names/identifiers, and user passwords must be kept confidential and must not be disclosed to an unauthorized party. No one from Experian will ever contact you and request your credentials.
- B. Active logins to credit information systems must be configured with a 30 minute inactive session timeout.
- C. Ensure that personnel who are authorized access to credit information have a business need to access such information, and understand these requirements to access such information are only for the permissible purposes listed in the permissible purpose information section of the membership application.
- D. Accessing of one's own credit report or those reports of any family member(s) or friend(s) is prohibited unless done for a permissible purpose.
- E. Experian data must never be stored locally on smart tablets and smart phones such as iPads, iPhones, android based devices, etc.
- F. The chief of police or his designee will terminate access rights immediately for users who access Experian credit information when those users are terminated or no longer are required to access such information.
- G. All Experian reports detailing credit information must be considered confidential. No credit information shall be stored or transmitted via any city-owned or personal electronic device. Credit reports will be maintained in a hired applicant's file. All other credit reports will not be maintained in any other personnel file unless approved by the chief of police. Credit reports will be properly destroyed to ensure confidentiality and identity safety.

X. Automated License Plate Readers

- A. Deployment – Automated License Plate Readers will be deployed on city easements, right-of-ways or city owned property. With from both the Texas Department of Transportation and the Texas Department of Public Safety, Automated License Plate Readers may be deployed on Texas Department of Transportation right-of-way.
- B. Automated License Plate Readers will be deployed and used to collect vehicle information to include a vehicle’s license plate number to compare to hotlist to include information to include but limited to;
 - a. Stolen Vehicle
 - b. Stolen Tag
 - c. Outstanding Warrant
 - d. Missing Person
 - e. CPIC
 - f. Protection Order
 - g. Immigration Violation
 - h. Sex Offender
 - i. Supervised Release
 - j. Protective Release
 - k. Violent Person
 - l. Gang or Suspected Terrorist
- C. The Automated License Plate System will send notifications identifying when a license plate number is included in a hit listed in section B.
- D. Data collected from Flock Safety cameras will be maintained for 30 days. Data from Vigilant Solutions cameras will be maintained for two years. Data will be downloaded to DPS hourly.
- E. Officers may only access stored data to perform a legitimate law enforcement function.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 1.11

SUBJECT: CUSTOMER SERVICE

**DATE OF ISSUE:
01/15/95**

POLICY:

The Lewisville Police Department is a service delivery organization. The service we deliver is public safety. Our primary customers are the taxpayers. Our main goal is to deliver excellent service in the most courteous and efficient manner possible.

PROCEDURE:

Observe the following principles in the delivery of police service:

I. CUSTOMER RELATIONS

- A. Greet customers courteously and quickly. Treat everyone with respect.
- B. Remember that many people experience anxiety about dealing with the police. Make them feel comfortable.
- C. Maintain your composure. Do not react rudely to insulting or angry customers. If you get into an argument, you lose objectivity and control and may do something improper or unlawful. Even rude people are entitled to the best service you can provide.
- D. Most citizens do not have an extensive knowledge of the criminal justice system. If they have trouble expressing what they need, help them by asking appropriate questions and explaining procedures.
- E. The person standing before you has priority over the person on the phone. Do not ignore the presence of a person in order to engage in a long phone conversation.
- F. Do not leave a person "on hold" on the phone for a long time before checking back to explain a delay.
- G. Follow through. Deliver what you promise. Do not make guarantees you cannot keep.

II. QUALITY SERVICE

- A. Solve the problem at your level whenever possible.
- B. Do not refer a person to another employee unless you believe that employee can help solve the problem.
- C. Do not transfer a call unless you know the employee receiving the call is actually present. Otherwise, take a message or find another employee who can help. Offer the customer the option of transferring to voicemail.
- D. Be as accurate and complete in your work as you can under the time constraints and resources inherent in the job.
- E. Be accurate in the information you provide. Do not guess unless you tell the customer that you are speculating.
- F. Anticipate problems in the service delivery system. Look ahead. If you foresee a person will have particular difficulty, intervene to the extent permissible to pave the way for that person.
- G. Look for new ways to solve old problems. Anticipate new problems and imagine solutions before the problems come.
- H. Supplies and equipment represent a taxpayer investment. Be a good steward. Use supplies and equipment carefully and frugally.
- I. Employees will often be tasked with caring for the property of a “private citizen.” The term “private citizen” refers to a customer we serve, whether under arrest or not. Employees should take appropriate care in order to not lose or damage a private citizen’s property. Damage of a private citizen’s property is shown by, but not limited to, improper care when in possession of or when handling the property of a private citizen that results in damage or destruction of said property. This policy does not apply when an employee is otherwise authorized to use force against a private citizen or their property, and the property is subsequently damaged or destroyed.

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 2.1

SUBJECT: POLICE ETHICS

(Std. Ref. 1.08, 2.02, 2.12, 2.14, 2.15, 2.16, 2.17, 2.18
2.19, 2.21 & 2.22)

DATE OF ISSUE:
10/01/01

POLICY

The community views its police officers as symbols of stability and authority. There is a bond of trust between the Department and the people it serves. These rules are designed to promote efficiency, discipline, and good community relations.

PROCEDURE

- I. Attached is the Law Enforcement Code of Ethics as furnished by the Texas Commission on Law Enforcement Officer Standards and Education. All officers shall familiarize themselves with and comply with this Code of Ethics.
- II. All employees will comply with the following rules:
 1. **Compliance with law** - All employees shall obey all local, state, and federal statutes, ordinances, and laws as well as all provisions of the Constitution of the State of Texas and the United States of America. All employees shall obey all rules, regulations, directives and orders of the Department whether verbal or written.
 2. **Duty to Intervene** - Sworn and non-sworn employees have an obligation to protect the public and other employees. It shall be the duty of every employee present at any scene where physical force is being applied to either stop or attempt to stop another employee when force is being inappropriately applied or is no longer required. This same standard applies even if the employee using force is a supervisor. Further, employees shall promptly report those observations, in writing, to a supervisor. The obligation to report remains in place even if the employee is successful in intervening in the use of excessive force. Any failure to intervene and/or a failure to report, in writing, the improper use of force shall be grounds for discipline up to and including termination.
 3. **Disparaging Remarks** - No employee will insult or degrade another individual by making derogatory remarks about that person's race, skin color, gender, religion, national origin, age, or disability.
 4. **Off Duty Enforcement** - An off-duty officer shall not enforce minor traffic violations unless the violation presents an imminent threat of serious injury to someone.
 5. **Request for Identification** - An employee shall politely furnish his name and

identification number to any person requesting such information except in emergencies when complying with the request would cause risk or permit a suspect to escape.

6. **Unbecoming Conduct** - An employee shall always conduct himself (both on and off duty) in a way which reflects favorably on the Department. Unbecoming conduct includes unjustified behavior which may bring the Department into disrepute or which may discredit or impair the operation of the Department.
7. **Use of Tobacco** - An employee shall not use tobacco in the presence of the public except on authorized breaks in areas where tobacco is not prohibited.
8. **Interference with Cases**
 - a. Arrest and Prosecution - An employee shall not interfere with any arrest or prosecution lawfully brought by other members of the Department or by any other agency or person.
 - b. Investigations - An employee shall not interfere with cases assigned to another officer. He shall not undertake any investigation or other police action not part of his regular police duties except in emergencies. If he does take such action in an emergency, the officer must make a written supplement on the case and notify the appropriate supervisor.
 - c. Operations - An officer shall not interfere with the operation of any department division, section, or unit.
 - d. Off-Duty Officers - An off-duty officer shall not take enforcement action in matters involving family members unless the situation is a crime in-progress. Officers should contact on-duty police personnel from the police agency with jurisdiction over the incident.
9. **Conflicting Orders**
 - a. If the employee believes an instruction or order is improper, he should obey the instruction or order and file a complaint after carrying out the order or instruction.
 - b. If the employee believes the instruction or order is illegal or, if followed, would result in physical injury to the employee or others, or damage to City or public property or equipment, the employee should request approval by the next higher level of supervision before performing the work, unless the danger complained about is inherent to the job. Certain jobs, such as police officer or

firefighter, are inherently dangerous and this provision would only apply in situations that are beyond what a reasonable person would be expected to do in a particular situation.

10. **Request for Assistance** - An employee shall respond to any reasonable request for assistance by obtaining all pertinent information in an official and courteous manner. The employee shall then act upon the request consistent with established department procedures.
11. **Suggestions Pertaining to Services** - An employee shall not recommend or suggest to the public in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service, such as an attorney, ambulance service, towing service, bondsman or mortician.
12. **Equal Enforcement** - An employee shall treat all persons fairly and equally in the enforcement of the law without regard to age, sex, religion, social status, ethnicity, disability, or other personal characteristic. No employee should engage in discrimination, oppression, or favoritism. All employees are to respect the rights of individuals.
13. **Honesty** - An employee shall submit all necessary reports on time and in accordance with existing regulations. All reports submitted by an employee shall be truthful. All responses to job related questions asked by anyone shall be truthful.
14. **Citizen Complaints** - An employee shall never attempt to dissuade any citizen from lodging a complaint. An employee may attempt to resolve the complaint. If the employee cannot readily resolve the complaint, the employee shall promptly and courteously refer the citizen to the appropriate supervisor in accordance with Department policy.
15. **Use of Official Identification or Position** - An employee shall not use his official position, identification card, uniform, insignia, department logo or badge for personal financial gain or privilege. An officer shall not lend his identification card or badge to another person or permit it to be photographed or reproduced. This section shall not apply to wearing the uniform or pistol on department approved off-duty jobs.
16. **Use of Name, Photograph, or Title** - An employee shall not permit or authorize the use of his name, photograph, or official title, which identifies him as a member of the Lewisville Police Department for testimonials or advertisements of any commodity or commercial enterprise, or for any personal reasons without the approval of the Chief of Police.

17. **Confidentiality** - An employee shall disseminate official information only to those intended to receive it in accordance with established department procedures.
18. **Loyalty** - An employee shall not publicly ridicule the Department, its policies, or its members by making defamatory, obscene, or unlawful statements which impair the operation of the Department. Supervisors shall support employees in the lawful performance of their duties according to department policy and procedure.
19. **Immoral Conduct** – An employee shall maintain a level of moral conduct in his personal affairs in keeping with the highest standards of the law enforcement profession. No employee shall cause the department to suffer disrepute.
20. **Use of Intoxicants** - An employee shall not use or purchase intoxicants while on duty, in uniform, or in a City of Lewisville vehicle. Confiscated alcoholic beverages will be handled according to department policy. The rule concerning on duty use may be waived in a covert investigation with approval of the division commander. Employees out of uniform may use alcoholic beverages in an official field sobriety test or intoxilyzer training class. All such classes will be closely supervised for safety.
21. **Off Duty Use of Intoxicants** - An employee, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in offensive behavior which might discredit the Department.
22. **Associations** - Except as required by a duty assignment, an employee shall not associate with convicted felons or persons known to engage in criminal activity unless those persons are relatives and contact is unavoidable. Except as required by a duty assignment; an employee shall not frequent, visit, or enter a house or establishment where federal, state, or local laws are violated.
23. **Rewards** - Employees shall neither solicit nor accept any gift, gratuity, or reward in money or other consideration for services rendered in the line of duty to the community, an individual, a business or agency.
24. **Personal Transactions** – Employees are prohibited from buying or selling on a personal basis anything of value to any suspect, defendant, or prisoner. If the person is working as a cashier for a business or company, police employees may conduct routine transactions.
25. **Abuse of Process** - An employee shall not make any false accusation or criminal charge, or intentionally manufacture, falsify, destroy, or withhold evidence or information.

26. **Financial Disclosure** - An employee shall submit financial disclosure and responsibility statements in the manner prescribed by the Chief of Police in connection with any investigation of an allegation which makes such information material.
27. **Co-Signing Notes** - An employee shall not co-sign a note for any superior or subordinate.
28. **Labor Activities**
 - a. An employee shall have the right to join labor organizations, but the Department will not recognize or engage in collective bargaining with any such labor organization unless collective bargaining has been approved in accordance with state law. Employees may not participate in labor activities during duty hours or while in uniform.
 - b. It is unlawful for any employee to engage in any strike against the Department. An employee who violates this provision commits a misdemeanor and may be subject to discharge and penalties.
29. **Political Activities**
 - a. No person may coerce an employee to participate or to refrain from participating in a political campaign in any manner.
 - b. An employee, while in uniform or on duty, shall not take an active part in any political campaign. The term "active part" means making political speeches, passing out political literature or buttons, writing letters, signing petitions, actively and openly soliciting votes, or making public remarks about the candidates.
 - c. No one may require an employee to contribute to any political fund or to render any political service. No one may punish an employee in any way for refusing to do so.
 - d. An employee shall receive reasonable leave of absence, provided there are a sufficient number of employees to carry out the normal functions of the Department, to exercise his constitutional right to appear before or petition the Texas Legislature. Such leave shall be without pay unless such representation involves the official business of the Department.
30. **Sleeping on Duty** - Employees shall remain awake and alert while on duty or in an authorized police department uniform. If unable to do so, they shall immediately report to their supervisor. The supervisor will determine the proper course of action.

31. **Gambling** - Employees shall not engage in any form of illegal gambling at any time except in the performance of covert operations under orders from a supervisor.
32. **Loitering** - All employees on duty or in uniform shall not enter theaters, bars, sporting events, concerts, or other places of amusement except to perform a police task. Loitering in such places is not authorized.
33. **Telephones** - All employees shall have personal phone service so that they may be recalled to duty in emergencies. All employees are required to update their own telephone numbers and addresses in the eSuites - HR Portal. All employees are subject to 24 hour recall during emergency situations which include man-made and natural disasters.
34. **Uniforms** - All officers and uniformed employees shall maintain a regulation uniform in good order. All articles of uniform shall conform to Department regulations. Uniforms will be neat, clean, and pressed when worn. Officers will maintain a command presence while in uniform.
35. **Equipment** - All equipment must be clean, in good working order, and in compliance with Department regulations.
36. **Private Use of Department Address or Telephone Number** - Employees shall not use the Department as a mailing address for private purposes. The Department address shall not be used on any personal motor vehicle registration or driver's license, or as a personal legal address. No employee may use the Department address, telephone system, or mail system including "E-Mail" for non-official purposes.
37. **Assistance** - All employees are required to take appropriate action to aid a fellow employee in danger.
38. **Knowledge of Laws and Regulations** - All employees must maintain a working knowledge of state laws and local ordinances as well as the rules, orders, and policies of the Department and the City. In the event of improper action, it is assumed that the employee is familiar with the law, rule, or policy in question.
39. **Unlawful Orders** - No commander, manager, or supervisor will knowingly issue an order which is in violation of any law except when necessary to protect life.
40. **Neglect of Duty** - Employees must report to work at the scheduled time. Employees must attend scheduled training, special duty assignments, and emergency recall, as needed. They must have all proper equipment and be prepared to go to work immediately. They shall not neglect their duties. They shall not read, play games,

watch television, or otherwise engage in entertainment while on duty. They shall not engage in any personal activities which would cause them to be inattentive to duty. Employees may engage in entertainment or personal business while on authorized breaks provided said entertainment or personal business does not violate #5, Unbecoming Conduct.

41. **Relief** - All employees are to remain at their assignment and on duty until properly relieved by another employee or until dismissed by a supervisor.
42. **Correspondence** - Employees shall not use City letterhead for private correspondence.
43. **Communications Discipline** - All employees operating a radio or data terminal shall observe all Department regulations and FCC requirements.
44. **Assisting Suspects** - Employees must not communicate in any manner any information which might assist persons to escape arrest or detention, or to secrete evidence or property. Employees may confirm the existence of warrants and bonding information to arrange for bonding procedures.
45. **Acting as Bailor Prohibited** - Employees cannot act as bailors for any person in department custody except relatives, and in no case where any fee, gratuity, or reward is solicited or accepted.
46. **Public Appearance Requests** - All requests for public speeches or demonstrations in uniform or as a representative of the Department must be approved by the Chief of Police.
47. **Court Appearances** - Attendance at court when scheduled by the Department or when subpoenaed on a department case is a duty assignment. Employees must appear on time for all Court hearings when properly notified. They must testify in a professional manner and comply with all directives of the Court.

Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court official. An employee must notify his supervisor when he is dismissed from a previously scheduled court appearance.

Employees must wear business attire and present a neat and clean appearance. Male employees must wear coat and tie. Female employees must wear apparel of an equal standard. Officers may wear the department uniform.

Employees will avoid mannerisms which might imply disrespect for the court such as smoking, chewing gum, tobacco, or using a toothpick.

48. **Testifying for the Defendant** - Any employee subpoenaed or volunteering to testify for the defense in any criminal hearing or against the City of Lewisville will notify the Chief of Police in writing as soon as possible.
49. **Refusal to Cooperate in Giving Testimony** - Any employee who refuses to testify or is uncooperative in anyway when appearing as a witness before an authorized investigative body, a judicial tribunal, an authorized hearing board, or a person authorized to take testimony may be subject to disciplinary action.
50. **Civil Actions** - Employees shall not volunteer to testify in civil actions except in personal business. Employees will accept all subpoenas legally served. If the subpoena arises out of Department employment or if an employee is informed that he is a party to a civil action arising out of Department employment, he must immediately notify the Chief of Police.

Employees will notify the Chief of Police before giving an affidavit or deposition in any civil case arising out of Department employment. This includes a case arising from off-duty employment.

Employees shall not serve civil process or assist in civil cases unless required in the line of duty or unless the employee is personally involved in the case. The employee must never identify himself as an agent of the Lewisville Police Department when serving civil process in a personal matter.

51. **Personal Relationships** - This Department does not condone and will not permit dating or any activities that may be construed as dating between our Police Department Cadets and employees of this Department. This applies to all Department employees regardless of local or state laws related to the age of consent. This type of behavior is not appropriate, nor is it in keeping with the relationship between our youth members and our adult leaders as prescribed in the programs of this Department.
52. **Inappropriate Social Relationships** - No employee shall establish an inappropriate social relationship with a known victim, witness, suspect, informant, or defendant of any case during an investigation or subsequent prosecution that may result from that investigation. Inappropriate social relationships would include any relationship which may bring the Department into disrepute or which may discredit or impair the operation of the Department if knowledge of the relationship were to become public.
53. **Compliance with Federal and State Grant Requirements** - Grant funding is a necessity for the Department to further the law enforcement mission. Employees

with grant responsibilities shall be familiar with and comply with the requirements of each grant. These employees shall also comply with any federal or state law pertaining to grant funding, to include Title 43 Administrative Code 10.51. The Grant Administrator shall ensure Department employees receive annual compliance training. The City Secretary shall ensure that elected officials on city council are trained annually on all applicable laws and codes.



Law Enforcement Code of Ethics

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all persons to liberty, equality, and justice.

I WILL keep my private life unsullied as an example to all, and will conduct myself in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I KNOW that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I WILL constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...Law Enforcement.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.2

SUBJECT: UNIFORM AND DRESS CODE
(Std. Ref. 2.13 and 7.23)

DATE OF ISSUE:
07/01/03

POLICY

There is an important relationship between public confidence in the police and the successful accomplishment of the police mission. A professional appearance is a key ingredient in developing public confidence.

PROCEDURE

I. APPEARANCE

All employees shall be clean and have a professional appearance. Jewelry will be conservative and acceptable to the community. Employees in enforcement positions are encouraged to limit jewelry to wedding rings and a watch for safety purposes. Employees may have no visible piercings, other than for earrings in their ear lobes. Male employees may not wear earrings while on-duty.

A. Male

Employees

1. Hair will be evenly trimmed and worn in a conservative style acceptable to the community. Police Officers' and Detention Officers' hair must not be dyed unnatural colors nor be unnaturally multi-colored. Further, the hair will not touch the top of the collar in back while the employee is standing erect. The hair will not extend over the top of the ears.
2. Sideburns will not extend below the middle of the ear. Maximum width at the bottom of the sideburns will not exceed one inch.
3. Employees shall be clean-shaven except for mustaches, goatees with mustaches, or beards. Facial hair shall be no longer than ¼" in length, which is a #2 clip guard used by professional hair stylists.
 - a. Mustaches shall not extend below nor beyond the corner of the mouth.

- b. Goatees may not extend more than ½” beyond the corner of the mouth nor one inch below the jawline. Goatees must be worn in conjunction with a moustache.
- c. Beards shall not extend more than one inch below or 2.5 inches above the jawline. An employee must present a physician’s note stating the employee has a skin condition if he is unable to shave/trim their check or neck areas.

B. Female Employees

- 1. Hair must be professional in appearance. Police Officers’ and Detention Officers’ hair must not be dyed unnatural colors nor be unnaturally multi-colored. Further, females in uniform will wear their hair in such a manner to prevent it from interfering with their vision and not let their hair extend below a point halfway between the bottom of their collar and top of their belt while the employee is standing erect.
- 2. Makeup will be conservative and acceptable to the community.

C. Covert Operations

Personnel assigned to covert operations are exempt from the regulations in this order. They may alter their appearances to blend with the enforcement target as directed by their unit supervisor.

D. TATTOOS / BODY ART / BRANDING / PIERCINGS

Tattoos, body art, brandings, and piercings will meet the following regulations:

- 1. Employees may display tattoos that are not inappropriate, offensive or unprofessional to the community.
- 2. Display of inappropriate or offensive tattoos, body art, or branding is prohibited.
 - a. Inappropriate tattoos, body art, or brandings include but are not limited to those that depict, describe, or otherwise refer to sexual conduct, acts, or organs, or are gang-related.
 - b. Offensive tattoos, body art, or brandings include but are not limited to those that may depict, describe, or refer to intolerance for a particular race, color, preference, religion, gender or national origin or tattoos that show association to groups or organizations that advocate such intolerance or discrimination.

3. Tattoos, body art, or branding of the head, neck, face, and/or ears, is prohibited. Also prohibited are gauges, pierced, split, or forked tongue, any foreign objects inserted under the skin on hands, neck, face, and head (sub-dermal implants). The department may allow cosmetic tattooing on a case-by-case basis.
4. All employees attending any court proceeding while representing the department will cover all tattoos, body art, and brandings.
5. The Chief of Police reserves the right to ask any employee to cover a tattoo, body art, or brand that is deemed unprofessional.

E. Required Attire for Certain Assignments

1. Employees attending training may wear attire that meets the City's definition of "Dress Down Friday" attire. If the class will involve activities that require special attire, students will be notified of what is appropriate by the Training Unit.
2. Employees attending meetings at a Lewisville P.D. facility when otherwise off-duty, may wear attire that meets the City's definition of "Dress Down Friday" attire. When attending a meeting and otherwise off-duty that takes place elsewhere, employees shall wear their work uniform or business casual attire.
3. Employees attending court will meet the following requirements:
 - a. Municipal Court - Civilians shall wear business attire or their work uniform. Officers will wear their uniform (regular uniform shirt, outer carrier style, or load bearing vest) or business attire.
 - b. County Court, or District Court – Civilians shall wear business attire or their work uniform. Officers will wear business attire, their Class A uniform, or the regular uniform (with long or short sleeves). Load bearing vests are not authorized to be worn to County or District Court.
 - c. Federal Court – Civilian Employees shall wear business attire as defined by City Administrative Directive. Sworn employees shall wear either their Class A uniform with a tie or a suit with a tie.
4. Employees who are "on call" and are called to duty can wear attire that meets the City's definition of "Dress Down Friday" attire.
5. The Public Information Coordinator, Police Captains or Administrative Duty Officers that respond to deal with a police situation shall wear their regular uniform or business casual attire.
6. The Chief of Police may periodically allow deviations from the uniform policy.

II. UNIFORM (POLICE OFFICER)

A. Uniform Shirt

1. Black short or long sleeve shirts issued by the Department with:

- a. Department patch at the top of both sleeves.
 - b. Department badge on left side above pocket.
 - c. Metal nametag on right side above pocket (Department award insignia will be worn above the nametag).
 - d. Captains and above will wear rank insignia on the shirt collar tab.
 - e. Black T-shirt (Black turtleneck or mock turtleneck may be worn with long sleeve shirt during cold weather).
 - f. Solid black gloves.
2. Approved outer carriers for ballistic panels may be worn over the uniform shirt.
- a. Approved outer carriers are department issued or listed on the "Personal Approved Purchase" log.
 - b. A department badge (metal badge or flexible, metallic badge) will be worn above the left pocket.
 - c. A nametag (metal or sewn on patch) will be worn above the right pocket. If the metal version is selected, department awards will be worn above the nametag. A metal nametag must be worn if a metal badge is worn. A sewn-on nametag must be worn with a flexible, metallic badge.
 - d. Approved base shirts may be worn under outer vest carriers. The approved base shirts are department issued or listed on the "Personal Approved Purchase" log.
- B. Black pants issued by the Department
- C. Headwear
1. Officers may wear black hats issued by the Department with a hat badge on the front. Hats are optional except when employees are:
 - a. Outdoors at funerals or formal events; or
 - b. Members of an honor guard.
 - c. During cold weather, officers may wear black caps with earflaps, earmuffs, or military watch caps.

2. Officers may wear black baseball caps issued by the Department. These caps are optional.
3. Officers may purchase their own black baseball caps to be worn while on duty. These caps are optional.
 - a. Before wearing a personally purchased cap on duty, an officer must affix a department supplied patch to the front of the cap in the same location as the patches on the department supplied baseball caps.
 - b. These caps must be solid black with no designs other than manufacturer logos.
 - c. Personally purchased baseball caps must be replaced by the officer when they become soiled or weathered in appearance.
 - d. If a personally purchased baseball cap does not meet the above requirements, supervisors can stop the cap from being worn on duty and require it to be replaced.
4. Officers may wear black western style hats issued by the department. These hats are optional. They may not be worn with uniform shorts.

D. Shoes

Officers in uniform will wear shoes or boots that are solid black with no buckles, tassels, or other attachments.

1. Officers must wear black socks when wearing low shoes.
2. Officers will ensure that shoes or boots are clean and when applicable polished.

E. Equipment Belt

Officers will wear equipment belts, holsters, and accessories issued or approved by the Department. The division commander must approve any accessories. The chief of police must approve any accommodation for physical conditions.

Department approved nylon belts are authorized for wear on duty with all uniforms except the Class A uniform.

All belt attachments must be of the same construction as the belt being worn.

F. Ties

Officers will wear ties issued by the Department. Ties are optional except when directed by the chief of police. Ties will only be worn with long-sleeved shirts.

G. Jackets

1. Officers will wear jackets issued or approved by the Department when required by cold weather.
2. The jacket will have the Department patch at the top of both sleeves and a gold or silver flexible, metallic badge attached to the left side of the chest.

H. Raincoats

Officers will wear raincoats and cap covers issued by the Department when required by wet weather.

I. Rank and Unit insignia

1. Officers will wear silver colored metal badges, nameplates, and hatbands.
All ranks above police officer will wear gold-colored devices.
2. Sergeants will wear three red chevrons on both sleeves of all shirts and jackets.
3. Captains will wear:
 - a. A double gold bar on each collar tab on all shirts.
 - b. A double gold bar on the outside end of each epaulet on all jackets.
4. Assistant Chiefs will wear:
 - a. One gold star on each collar tab on all shirts.
 - b. One gold star on the outside end of each epaulet on all jackets.
5. Chief of Police will wear:
 - a. Two gold stars on each collar tab on all shirts.
 - b. Two gold stars on the outside end of each epaulet on all jackets.
6. Units: Personnel who are members of the following units will wear distinctive shoulder loops on the epaulets of all shirts and jackets as follows:
 - a. Tactical – Black with red and yellow stripes
 - b. Traffic – Solid red
 - c. Warrant Officer – Black with red stripes

- d. Patrol – Green
- e. Detention – Black with gold stripe
- f. Field Training Officer – Green with gold and red stripes
- g. CID – Blue
- h. Special Operations – Blue with black and yellow stripes

J. Service Stripes or Hash Marks

1. Service stripes or hash marks shall be worn on the left sleeve of the long sleeve uniform shirt. Employees will only wear Department issued hash marks and they must meet the following guidelines:
 - a. Each hash mark represents five years of completed service with the City of Lewisville Police Department. Years of service are calculated from the date hired as a Lewisville police officer and the years need not be consecutive.
 - b. Hash marks are not to be worn on any outerwear.

K. Conditions of Uniforms

1. Officers will keep uniforms serviceable at all times.
2. They will be wrinkle-free and clean with shirts tucked into pants.

L. Uniforms – Off Duty Use

1. Officers will not wear the uniform or any part of it off duty without approval from the chief of police, except to travel to and from work. If a stop that will last more than ten minutes is expected in transit, the officer will change into civilian clothes. The chief of police authorizes wearing of the uniform off duty on special occasions such as:
 - a. Funerals
 - b. Approved off-duty employment
2. No part of the uniform will be worn with civilian clothes unless approved by the chief of police.
3. No item of civilian clothing except those mentioned in this order will be worn with the uniform.

M. Special Uniforms

1. The chief of police may authorize special uniforms and equipment that would enhance the accomplishment of the police mission. Examples include BDU's for tactical officers, bike shorts for officers assigned bicycle

duty, and special uniforms approved by the Bureau Commander for units performing unique duties.

2. Personnel may wear special coveralls or other protective clothing when engaged in operations that would expose them to unusual amounts of dirt, grease, oil, body fluids or unpleasant chemicals. Whenever possible, the clothing will bear the Department patch.
3. Department approved uniform shorts may be worn on regular duty between May 1 and October 31 and off-duty uniformed assignments when approved by the appropriate division commander.
 - a. The regular uniform duty belt and equipment will be worn with the uniform shorts.
 - b. When wearing the uniform shorts, the officer must wear a short sleeve shirt.
 - c. Officers should wear black sport (below the ankle) style socks when wearing uniform shorts. Officers wearing shorts should wear solid black athletic style shoes.
 - d. Neither the regular service hat nor western style hat are authorized while wearing the summer- type uniform shirt or uniform shorts.
 - e. Officers are cautioned to wear sunscreen when wearing shorts to avoid sunburn. Sick leave use caused by sunburn will result in the revocation of this uniform option for the individual suffering the sunburn.
4. Class "A" Uniforms
 - a. Class "A" Uniforms are the formal dress uniform for all officers. This dress uniform consists of the following items:
 - Black long-sleeved uniform shirt with gold or silver "P" buttons on the epaulettes and pockets if issued, otherwise a long-sleeved uniform shirt.
 - Black tie
 - Black Trousers
 - Black service hat
 - Duty belt
 - Black leather shoes or boots.
 - b. Events

The class "A" dress uniform shall be worn when attending the following events:

- Funerals for police officers
- Formal banquets or ceremonies
- When directed by the chief of police

N. Mourning Bands

1. Authorized Personnel

When authorized, the standard, Department-issued mourning band will be worn horizontally across the center of the badge by all uniformed police officers and plain clothes and administrative officers who display their badge in a holder.

2. Authorized Circumstances

Mourning bands are authorized to be worn in the following circumstances and for the listed time frames:

- When a Texas peace officer is killed in the line of duty, the mourning band shall be worn from the time of the incident until the end of the officer's funeral.
- When a peace officer from another state is killed in the line of duty in Texas, the mourning band shall be worn from the time of the incident until the end of the officer's funeral.
- When a peace officer dies of natural causes, the mourning band shall be worn at the officer's funeral.
- National Police Week is recognized during the second full week of May each year. The mourning band shall be worn from 6 a.m. on the Sunday of National Police Week through 6 p.m. on Saturday.
- On September 11 in observance of Patriot Day.
- The mourning band shall also be worn due to other special circumstances as authorized by the chief of police.

O. Body Armor

1. The Department will provide all sworn officers with personally-fitted soft body armor. All officers in uniform will wear the Department-issued body armor both on-duty and when working an approved off-duty job. The chief of police or his designee may waive this requirement for special occasions, such as banquets, funerals, ceremonies, or other events, as determined by the chief.
2. The Department will provide all sworn officers (excluding administration) with hard body armor (rifle plates). The hard body armor will be carried in outer vest carriers that officers may don as they see fit.
3. Officers shall care for their issued body armor to ensure it performs to

standards. A supervisor shall provide officers with training on the proper care, fitting and inspection, sue storage and maintenance of the body armor, according to manufacture's standards. Body armor shall not be stored in the trunk of a vehicle when an officer is not on-duty due to the possibility of heat damaging the armor.

- P. All officers in uniform will carry the department issued medical kit both on- duty and when working an approved off-duty job. The medical kit will be carried in the duty pants thigh pocket.

III. **DETENTION OFFICER UNIFORMS**

- A. Long or short sleeve shirts issued by the Department with:

1. Department patch at the top of both sleeves.
2. Sewn-on patch of Department badge on left side.
3. Name embroidered on the right side..
4. Black crew-neck undershirt.

- B. Black BDU trousers issued by the Department

- C. Rank Insignia

1. Detention Officer IIs will wear two gray chevrons on both sleeves below the department patch on department issued shirts and jackets.
2. Detention Supervisors will wear three chevrons on both sleeves below the department patch on department issued shirts and jackets.
3. The Detention Coordinator will wear
 - a. A double silver bar on each collar tab on all shirts.
 - b. A double silver bar on the outside end of each epaulet on all jackets.

- D. Hats

During cold weather, detention officers may wear black caps with earflaps, earmuffs, or military watch caps.

- E. Shoes

1. Detention officers will wear solid black shoes or boots with no buckles, tassels, or other attachments. Black socks will be worn with low shoes.
2. Detention officers will ensure that shoes or boots are clean and leather shoes or boots are polished.

- F. Belts

Detention officers will wear black belts issued by the Department.

G. Jackets

1. Detention officers will wear jackets issued by the Department.
2. The jackets will have the Department patch sewn at the top of both sleeves and a silver cloth badge patch sewn onto the left side of the chest.

H. Class "A" Uniform

1. The Class "A" Uniform will comprise of a department issued gray long-sleeve shirt, black tie, black pants, duty belt and black leather shoes or boots.
2. Service stripes or hash marks shall be worn on the left sleeve of the long sleeve uniform shirt. Employees will only wear Department issued hash marks and they must meet the following guidelines:
 - a. Each hash mark represents five years of completed service with the City of Lewisville Police Department. Years of service are calculated from the date hired as a Lewisville police officer and the years need not be consecutive.
 - b. Hash marks are not to be worn on any outerwear.

I. Mourning bands can be worn across the badge when authorized by the Chief.

J. Condition of Uniforms

1. Detention officers will keep uniforms serviceable at all times.
2. They will be wrinkle-free and clean with shirts tucked into pants.

K. Uniforms – Off Duty Use

1. Detention officers will not wear the uniform or any part of it off duty without approval of the chief of police except to travel to and from work. If a stop that will last more than ten minutes is expected in transit, the detention officer will change into civilian clothes.
2. Detention officers may not wear the uniform on off duty jobs.
3. The chief of police may authorize wearing the uniform off duty on special occasions such as funerals.
4. No part of the uniform will be worn with civilian clothes except:
 - a. Belt

- b. Any issued footwear

IV. VEHICLE AND EQUIPMENT PORTER UNIFORM

- A. Long or short sleeve navy blue shirts issued by the Department
 - 1. There will be no patches, nor a nametag worn on the shirt.
 - 2. A white or black crew neck t-shirt will be worn under the Department issued shirt.
- B. Navy blue pants issued by the Department
- C. Shoes

Porters will wear black shoes or boots with no buckles, tassels, or other attachments. Black or navy socks will be worn with low shoes.
- D. Belts

Porters will wear a black belt.
- E. Jackets

Porters will wear jackets issued by the Department when required by cold weather.
- F. Condition of Uniforms
 - 1. Porters will keep uniforms serviceable at all times.
 - 2. Shirts will be tucked into pants.
- G. Uniforms – Off Duty Use
 - 1. Porters will not wear the uniform or any part of it off duty without approval of the chief of police except to travel to and from work. If a stop that will last more than ten minutes is expected in transit, the porter will change into civilian clothes.
 - 2. Porters may not wear the uniform on off duty jobs.
 - 3. No part of the uniform will be worn with civilian clothes except:
 - a. Belt
 - b. Any issued footwear

V. PROPERTY AND EVIDENCE TECHNICIAN UNIFORM

- A. Short sleeve polo-style shirt issued by the Department.
 - 1. The technician's name will be embroidered on the upper right side of the shirt.
 - 2. The words "Property and Evidence Technician" or "Property and Evidence Supervisor," depending on the employee's title, are to be embroidered on the upper left side of the jacket.
- B. Black BDU trousers issued by the Department.
- C. Shoes

Property and Evidence Technicians will wear black shoes or boots with no buckles, tassels, or other attachments. Black or navy socks will be worn with low shoes.
- D. Belts

Property and Evidence Technicians will wear a black belt.
- E. Jackets
 - 1. Property and Evidence Technicians will wear jackets issued by the Department when required by cold weather.
 - 2. The technician's name will be sewn on the upper right side of the jacket.
 - 3. The words "Property and Evidence Technician" or "Property and Evidence Supervisor," depending on the employee's title, are to be sewn on the upper left side of the jacket.

VI. CRIME SCENE TECHNICIAN UNIFORM

- A. Long or short sleeve black shirt issued by the Department.
 - 1. On the upper right side of the shirt, the technician's name will be embroidered in white lettering.
 - 2. On the upper left side of the shirt, the words "Crime Scene Tech" will be embroidered in white lettering.
 - 3. Police patches will be sewn on both arms of the shirt.
 - 4. A white or black crew neck t-shirt will be worn under the

Department issued shirt (black turtleneck or mock turtleneck may be worn during cold weather only with long sleeve shirt).

B. Black BDU trousers issued by the Department.

C. Shoes

Crime Scene Technicians will wear black shoes or boots with no buckles, tassels, or other attachments. Black socks will be worn with low shoes.

D. Equipment Belt

Crime Scene Technicians will wear equipment belts and accessories issued by the Department.

E. Jackets

1. Crime Scene Technicians will wear jackets issued by the Department when required by cold weather.
2. The jacket will have the Department patch at the top of both sleeves.

VII. PURCHASE OF ALCOHOLIC BEVERAGES IN UNIFORM

No employee will purchase alcoholic beverages while in a Department-issued uniform or while wearing any part of a Department-issued uniform.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.3

**SUBJECT: COMMUNITY OUTREACH
(Std. Ref. 2.24)**

**DATE OF ISSUE:
04/10/18**

POLICY

It is the policy of the Lewisville Police Department to embrace the tenets of community policing and engage the community in a positive and trusting manner. Community involvement is essential to the successful operation of any police department. Without the assistance and acceptance of the community, a police agency's effectiveness will not reach its full potential. Whenever possible, all avenues should be utilized in promoting the respect and cooperation of the public we serve.

All employees will extend reasonable assistance to the public. Reasonable assistance means the level of assistance that call load and current demand levels would permit. Employees must not neglect community services in the belief that the police function is restricted to crime control. It is the goal of the Lewisville Police Department to promote good relationships with the public and this goal can be facilitated by professional conduct and effective community outreach.

PROCEDURE

I. PURPOSE

The purpose of this policy is to guide personnel and to affirm the department's commitment to seek out opportunities to interact with the public and to build trusting relationships with the community. Feedback from the community and effective community outreach are expected from all employees.

II. COMMUNITY OUTREACH

- A. Manager's and Supervisor's Role – Managers and Supervisors, by their words and actions, are to set the example for their subordinates in establishing and maintaining professionalism when interacting with the public and other employees.
1. All managers and supervisors shall ensure their employees maintain professionalism in their conduct, and support them in promoting the respect and cooperation of the community in our daily contacts.
 2. Managers and supervisors are expected to keep their subordinates apprised of specific community problems and concerns.

3. Managers and supervisors should strive to cultivate avenues of communication with individual residents and groups within the community where they are assigned. Whenever practical, managers and supervisors should assign personnel to attend neighborhood meetings and civic functions.
 4. Managers and supervisors are responsible to ensure that community feedback is sought by all personnel.
 5. The Chief of Police (or designee) will coordinate the community surveys and approve the content of the questions.
 6. Regardless of workload, the Chief of Police and all command staff are also expected to attend community meetings and to seek out opportunities to meet with all segments of the community.
- B. Employee's Role – No one can do more to foster positive police/community relations than the employee who is in contact with the public on a day-to-day basis. Employees must realize that their actions in every community contact have an impact on how the Lewisville Police Department is perceived by those we serve. Whenever possible, employees are expected to cultivate the respect and cooperation of the public through these contacts.
1. Employees shall provide reasonable assistance to all residents in need of service.
 2. All personnel are expected to seek out opportunities to promote trust and positive dialog with the public.
- C. Community Outreach –The Lewisville Police Department is committed to seeking out constructive community outreach programs that provide opportunities for members of the community and the police department to come together. Department employees are also expected to seek feedback from community members. If action plans or a new approach is needed to help solve a community concern, police personnel are expected to follow established internal protocols to recommend viable solutions.
1. Examples of Community Outreach Programs that are endorsed by this agency include, but are not limited to:
 - a. Community forums
 - b. "Coffee with Cops" meetings at local venues / restaurants
 - c. Open House at the Police Department to celebrate anniversary
 - d. Social media outlets

- e. The Adopt-A-School Program
- f. Regular attendance at civic and religious functions
- g. Participation in local “Shop with a Cop” program
- h. Car Seat Safety Program
- i. Citizens Police Academy
- j. Back to school – shopping with a cop
- k. National Night Out activities
- l. Halloween night community outreach

2. Community Feedback Mechanisms – seeking community feedback, and just as important - following up on the feedback, is crucial to the success of police community relations. The Lewisville Police Department is committed to actively seeking community feedback and whenever viable options for improvement can be found – to act on those findings. The following methods will be used to seek community feedback (with prior approval of appropriate city personnel):

- a. An electronic survey will be created and posted on the department website. The community will be encouraged by all personnel to take the survey and the Chief of Police (or designee) will seek out local media outlets to promote the survey.
- b. All forums with the public will include information on how to access the online survey so that those attending can participate.
- c. Feedback opportunities are available via the agency’s social media outlets.

3. Social Media is an effective tool for community outreach; however, the Lewisville Police Department will not rely solely on this mechanism for community outreach. It is important for all employees to seek out effective outreach programs that impact all segments of our community.

4. All survey results will be sent to the Chief of Police for review and action.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.4

SUBJECT: EMPLOYEE COMPLAINTS AND APPEAL

**DATE OF ISSUE:
01/15/95**

POLICY

Work related complaints or appeals will be treated in a fair and timely manner. Free discussion of employment problems between supervisors and employees fosters a better understanding of department policies, procedures, and practices. Such discussion will be encouraged. This Order is designed to promote fair and equitable resolution of employment problems in a climate of mutual understanding and objective thinking.

PROCEDURE

Employees should refer to City of Lewisville Administrative Policy 2.12.7, "Employee Complaint/Appeal."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.5

SUBJECT: EMPLOYMENT PROCEDURE

**DATE OF ISSUE:
10/01/01**

POLICY

The Department strives to hire the best possible candidates. In doing so, the Department is an equal opportunity employer and will follow all applicable federal, state, and local regulations pertaining to fair employment practices. The Department reserves the right to hire the candidate it feels is most appropriate for any position. This order establishes procedures for hiring Department personnel.

PROCEDURE

- A. Forward requests to fill vacant positions to the City Human Resources Department (HR) which will coordinate the hiring process.
- B. HR will advertise, accept applications, and schedule entrance level testing when applicable.
- C. Interview boards may be appointed by the Chief of Police.
- D. Background investigations will be directed by the Services Commander. The appropriate division commander may be required to furnish an employee to assist with this process.
- E. The appropriate commander will interview potential candidates and make conditional offers of employment.
- F. Upon successful completion of all conditions, the candidate will be given a date to begin employment and scheduled for orientation.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.6

SUBJECT: ON DUTY ACCIDENT OR INJURY REPORTING

**DATE OF ISSUE:
01/15/95**

POLICY

All on-the-job accidents, illnesses, and vehicular accidents or traffic citations involving an employee who is conducting city business must be reported, regardless of severity, in order to comply with insurance and worker's compensation requirements. All accidents and injuries must be reviewed to provide guidance and direction to employees in order to maintain a safe work environment.

PROCEDURE

Follow procedures in City of Lewisville Administrative Policy 2.12.9, "Disability Management and Supplemental Injury Leave."

Conduct an annual analysis of all reported accidents and injuries and make a recommendation to command staff on reduction.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.7

SUBJECT: AWARDS PROGRAM

**DATE OF ISSUE:
10/01/01**

POLICY

The Lewisville Police Department Awards Program recognizes department employees who have distinguished themselves by performing an act of service or valor which transcends routine duty expectations.

PROCEDURE

I. AWARDS CATEGORIES AND SPECIFICATIONS

A. Police Medal of Honor

The Police Medal of Honor is awarded to any employee who distinguishes himself by conspicuous heroism. The act must be in excess of normal demands and of such a nature that the officer was fully aware of an imminent threat to his personal safety when he acted above and beyond the call of duty.

B. The Police Cross

The Police Cross is awarded when an employee is killed in the performance of duty under honorable circumstances. The Police Cross is awarded in addition to any other award the employee may receive due to conduct in the incident that causes death.

C. Police Medal of Valor

The Police Medal of Valor is awarded to an employee for bravery. The recipient must demonstrate courage in the performance of a voluntary course of action in an extremely dangerous situation.

D. Police Commendation Bar

The Police Commendation Bar is awarded to an employee for outstanding performance in a particularly difficult incident.

E. Life Saving Bar

The Life Saving Bar is awarded to any employee who saves a human life. The employee's actions must be directly responsible for the saving of the life. Documentation or supporting evidence must substantiate the award. Such evidence includes statements from witnesses, physicians, or other employees. This award is also made when evidence indicates the employee's action prolonged human life to the point the person could be released to medical services; even though the victim later dies. This award may be given in addition to any other awards made in the same incident.

F. The Police Shield

The Police Shield is awarded to any employee who is seriously injured in the line of duty. Injury may be due to events such as assault, fire, explosion, or vehicle accident. This award may be made in addition to higher awards arising out of the same incident. The injury must not result from any action which does not conform to Department procedures and regulations.

G. Meritorious Conduct Award

The Meritorious Conduct Award is awarded to any member of the Department for outstanding performance of duties under unusual, complicated, or hazardous conditions over a period of time.

H. Civic Achievement Award

The Civic Achievement Award is presented to any member of the Department who brings favorable recognition to the Department through involvement in civic affairs while a member of the Department.

I. Citizens Certificate of Appreciation

This award is made to any person whose actions exemplifies excellence in performance of civic responsibilities or demonstrates unselfish devotion in the support of community safety and security. Any employee may recommend an individual for this award.

J. Letter of Commendation

This award is a letter written by the Chief of Police commending any employee who performs a specific task in an unusually efficient or dedicated manner. A copy of the letter is placed in the employee's personnel file.

K. Letter of Appreciation

This award is a letter written by a commander or manager expressing appreciation for an employee's performance in a specific task or for a specific period when that performance exceeds normally expected standards. A copy of the letter is put in the employee's personnel file upon the approval of the Chief of Police.

L. Citizen Letter of Appreciation

All letters from citizens expressing appreciation for an employee's performance will be put in the employee's personnel file upon the approval of the Chief of Police. Any employee receiving a phone call of appreciation will document the information and forward it to the Chief of Police who will place documentation in the appropriate file.

M. Performance Awards

1. Rookie Police Officer of the Year

This award is given to a sworn officer with less than two years of service with the City of Lewisville and who has most consistently displayed characteristics associated with outstanding performance. Inclusive in these are:

- a. quantity of work
- b. quality of work
- c. dependability
- d. work habits
- e. adaptability
- f. professional bearing
- g. attitude
- h. cooperation with others

2. Police Department Officer and Civilian Employee of the Year

An officer and civilian of the year will be named each year. Selection will be based on the following criteria:

- a. quantity of work
- b. quality of work
- c. dependability
- d. work habits
- e. adaptability
- f. professional bearing
- g. attitude
- h. cooperation with others

However, performance must have been exhibited over a 12-month period.

3. Sworn Supervisor and Civilian Supervisor of the Year

A Sworn Supervisor and a Civilian Supervisor of the Year award will be given each year to a sworn and a non-sworn supervisor who has most consistently displayed characteristics associated with outstanding performance as a supervisor. Inclusive in these are:

- a. leadership
- b. management skill
- c. professionalism
- d. contribution to the Department's performance
- e. development of Department personnel

Assistant Chiefs and the Chief are not eligible for this award.

4. Dispatcher of the Year

A Dispatcher of the Year award will be given annually to a dispatcher who has most consistently displayed characteristics associated with outstanding performance as a dispatcher. Selection will be based on the following criteria:

- a. quantity of work
- b. quality of work
- c. dependability
- d. work habits

- e. adaptability
- f. professional bearing
- g. attitude
- h. cooperation with others

5. Volunteer of the Year

A Volunteer of the Year will be recognized yearly for their contribution to the Lewisville Police Department. Any non-paid person may qualify for this award.

6. City of Lewisville Employee of the Year

Annually, the City of Lewisville designates an employee of the year. Anyone may nominate any employee for this award by submitting supporting data to the Chief of Police by the due date established by the City Manager's Office.

7. Department Values Award

Supervisors are encouraged to recognize employees throughout the year who perform outstanding work that represents the values of the police department. These awards may be plaques, tokens of appreciation and other similar items. Awards that are monetary shall not be given. Approval must be obtained prior to any expenditure of city funds for an award.

N. Specialty Awards

1. Years of Service Bar

This award is given to employees for consecutive years of services with the Department. The award is given in increments of five years.

2. Safe Driver Award

All members of the Department who are assigned to drive Department vehicles on a daily basis as part of their duties are eligible. The award is presented in five-year increments.

3. Assignment Badges

Division commanders may authorize assignment badges for personnel assigned to specialized units such as Tactical, Canine and others. After the officer leaves the assignment, he will no longer wear the badge.

4. Marksmanship Award

This award is given to sworn officers who have demonstrated exemplary proficiency in the use of their handgun in a course of fire designed by the Training Coordinator and approved by the Chief of Police.

II. DESCRIPTION OF AWARDS IN ORDER OF PRECEDENCE

Award bars are described as they appear to the viewer when worn.

A. Meritorious Awards

1. Police Medal of Honor – A yellow bar with two red enamel vertical bars trisecting the yellow bar.
2. Police Cross – A plaque defined by special order.
3. Police Medal of Valor – A blue bar with two vertical white bars trisecting the blue bar.
4. Police Commendation Bar – A red bar with two vertical blue bars trisecting the red bar.
5. Life Saving Bar – A bar with the left side red and the right side white and blue vertical bar in the center.
6. Police Shield – A light blue bar with a police shield in the center.
7. Meritorious Conduct Award – A bar with a white center, blue on each end, and two vertical red bars.
8. Civic Achievement Award – A red bar with white on each end and two vertical blue bars.
9. Police Officer of the Year – A green bar with a red stripe at each end and a red star in the middle.
10. Civilian Employee of the Year – A green bar with a red stripe at each end and a red triangle in the middle.

11. Sworn Supervisor of the Year – A red bar with a white star in the middle.
 12. Civilian Supervisor of the Year – A red bar with a white diamond in the middle.
 13. Police Officer of the Quarter Award – A plaque and a letter of appreciation.
 14. Civilian Employee of the Quarter Award - A plaque and a letter of appreciation.
- B. Specialty Awards
1. Safe Driver - A white bar with two green vertical stripes trisecting the white bar. The white bar has a number in the center.
 2. Year of Service – A white bar with two yellow vertical stripes trisecting the white bar. The white bar has a number in the center. Civilians will receive a device appropriate for wear with civilian clothing.
 3. Marksmanship - A white bar with two blue vertical stripes trisecting the white bar.
- C. Subsequent Awards – Subsequent awards will be designated by placing a small designating number in the center of the original bar, except the Life Saving Bar. On the Life Saving Bar, a star will be placed in the center for a second award. A third award would require a new bar with a star placed on each color. A fourth award adds a star in the center for a total of three stars.

III. RECOMMENDATION PROCEDURE

- A. Any member of the department may recommend an award. The recommending employee must have direct knowledge of the incident causing the recommendation.
- B. Recommendations for an award other than quarterly or yearly awards are submitted to the Specialty Awards Board in writing. The Chief of Police will appoint members to serve two years on the Specialty Awards Board. The Specialty Awards Board will consist of one non-supervisor from each division. The chairman will be a supervisor selected from any of the divisions. Bureau Commanders will consider and recommend recipients of the quarterly and yearly award nominations received by all employees to the Chief of Police. The Chief of Police will finalize all award recipients.

- C. The Specialty Awards Board will review all award recommendations and forward its evaluation of the recommendation to the Chief of Police for final action with the following exceptions:
1. Letters of commendation and appreciation are not forwarded through the Board. They are sent directly to the employee by the issuing commander. A copy is filed in the employee's personnel file.
 2. Letters of appreciation from citizens are sent directly to the Chief of Police. The Chief will notify the employee and file a copy of the letter in the employee's personnel file.
 3. Nominations for quarterly and yearly awards will be made by each supervisor no later than the 10th day of the month following the quarter in which you are nominating an award. Any employee may submit a recommendation for this award to the Chief of Police.
 4. Each year the Department will name one sworn supervisor, one civilian supervisor, one officer and one civilian employee of the year. Employees are encouraged to offer recommendations for quarterly and yearly employee recognition.

IV. PRESENTATION OF AWARDS

The Chief of Police will present awards at a date and location determined by him. Written documentation of an award will be filed in the individual's personnel file.

V. AWARDS DISPLAY

- A. Awards insignia will be displayed directly above the name tag on the uniform shirt with the bottom edge of the insignia mounted against the top edge of the name tag. The assignment badges will be worn above awards. Devices will be centered on the right side of the uniform shirt. Awards worn with civilian clothes will be in the form of a lapel pin worn on the left lapel of a coat.
- B. If more than one award is authorized, the awards will be arranged in order of precedence with the highest award displayed to the right and on the top (from the wearer's perspective). No more than two awards will be displayed before a second row is started.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.8

SUBJECT: HOURS WORKED

**DATE OF ISSUE:
01/15/95**

POLICY

It is the intent of the Lewisville Police Department to comply with all state and federal laws governing employee compensation, including the Fair Labor Standards Act (FLSA).

PROCEDURE

Follow procedures described in City of Lewisville Administrative Policy 2.7.5, "Compensation - Hours Worked."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.9

SUBJECT: PROMOTION SYSTEM
(Std. Ref. 3.09, 4.06 & 4.07)

DATE OF ISSUE:
01/15/95

POLICY

The department endeavors to appoint the best qualified personnel as supervisors and managers. In order to do this, the department assesses each candidate's experience, education, and performance to determine the most qualified individual. All procedures shall be job related and nondiscriminatory. This order establishes the procedure used to make this assessment. The police department reserves the right to select individuals that it deems best suited for positions consistent with equal opportunity laws.

PROCEDURE

I. PROMOTION POSITIONS ANNOUNCEMENT

- A. A job vacancy announcement of a supervisory or management vacancy (excluding appointed positions) will be posted at least 30 days prior to the appointment to the vacancy. The announcement will be posted on an official bulletin board in the police department as well as the Human Resources job vacancy board.
- B. The announcement will:
 - 1. Describe the responsibilities and duties required by the rank.
 - 2. Describe the minimum eligibility requirements.
 - 3.. Provide a date by which a Notice of Intention to Enter a Promotional Selection Process must be filed.
- C. Notice of Intention to Enter a Promotional Selection Process.
 - 1. *A Notice of Intention to Enter a Promotional Selection Process* must be completed and filed with the Human Resources Department no later than 5:00 p.m. on the date listed on the announcement notice. The intention form will be available in both the Chief of Police's office and the Human Resources Department. The Chief of Police may also require that a resume be attached to the intent form.

II. APPOINTMENT TO SERGEANT

A. Eligibility Requirements

1. High School Diploma / GED
2. At least five years of continuous service as a police officer, with at least two years as a Lewisville Police Officer immediately preceding the date of announcement
3. Intermediate TCOLE peace officer certification
4. Have not received a suspension without pay within the last year from the date of the announcement
5. Not currently on a Performance Improvement Plan
6. Any additional requirements outlined in the position job description

B. Eligibility List

An eligibility list will be established annually, even if there are no open sergeant positions.

C. Selection Process

1. Written test
 - a. Will be worth a maximum of 100 points and 30% of the overall score
 - b. Based on job knowledge and consist of local content selected by police administration
 - c. Developed by a professional test writing organization
 - d. A reading list will be posted a minimum of 60 days prior to the written test date.
 - e. The top 10 scores will advance in the promotional process. This may result in more than 10 candidates proceeding if there are tie

scores.

2. Internal assessment

- a. Will be worth a maximum of 100 points and 30% of overall score
- b. Assessment based on a police patrol sergeant scenario designed to assess a candidate's response to an event
 - i. Human Resources staff will administer the assessment. Each candidate will be assigned a unique identifier prior to the start of the exercise.
 - i. At the completion of the exercise, the de-identified results will be provided to the Assistant Chiefs who will use a standardized scoring instrument to evaluate the responses to ensure consistency and fairness.
 - ii. Once the exercises have been scored, the assessments will be returned to the Human Resources staff who will then match the scored responses to the candidate.

3. Interview and candidate history review

- a. The interview will be worth a maximum of 80 points, and the candidate history review will be worth a maximum of 20 points. The combined 100 points will be worth 40% of the overall score.
- b. Interview panel section
 - i. The interview panel will consist of the following: two Assistant Chiefs of Police, one police captain, one police sergeant, and one police officer
 - ii. All applicants who have passed the initial written test will be interviewed
 - iii. The questions in the interview will be based on the knowledge, skills and abilities required of a sergeant. Officers will have the opportunity to provide input on what is relevant and important to them prior to the development of the questions.

- iv. The interview may include questions about city and department values

- c. Work history review section
 - i. The interview panel will consider the following for each candidate
 - 1. Previous two years of annual evaluations
 - 2. Previous two years of disciplinary history
 - 3. Previous one year of performance log entries
 - ii. Based on each candidate's history, the following items will result in points added, to a maximum of 20:
 - 1. Formal Education
 - a. Master's degree +10 points
 - b. Bachelor's degree +7 points
 - c. Associate degree +2 points
 - 2. Peace officer certification
 - a. Master peace officer +5 points
 - b. Advanced peace officer +3 points
 - 3. Current assignment as FTO +3 points
 - 4. Previous FTO experience +1 point
 - 5. Full-time special unit assignment +3 points (per occasion)
 - 6. Assignment to SWAT +3 points
 - 7. Meritorious Conduct Award +1 point

- | | | |
|-----|--|-------------------------|
| 8. | Police Commendation Award | (per award)
+1 point |
| 9. | Police Medal of Valor | (per award)
+1 point |
| 10. | Police Medal of Honor | (per award)
+1 point |
| 11. | Physical fitness standard (current testing cycle) | |
| | a. Gold | +3 points |
| | b. Silver | +2 points |
| | c. Bronze | +1 point |
| 12. | Letter of Commendation
(per occasion if received from a police supervisor or police administration) | +1 point |
| 13. | Lewisville Leadership Academy | |
| | a. Enrollment in the Academy | +2 points |
| | b. Each class completed | +1 points |

iii. Based on each candidates' history, the following items will result in points deducted from the points added above, but will not be less than zero (will consider last two years based on date of violation for Items 1, 2, and 3. The other items will be considered one year from date of violation). Discipline for fleets will only be considered at the suspension level.

- | | | |
|----|-------------------------------|-----------------------------|
| 1. | Suspension | -4 points
(per occasion) |
| 2. | Sustained Class I complaint | -3 points
(per occasion) |
| 3. | Written reprimand | -2 points
(per occasion) |
| 4. | Oral reprimand | -1 point
(per occasion) |
| 5. | Negative counseling entry >10 | -3 points |

6. Negative counseling entry $>5 \leq 10$ -2 points

7. Negative counseling entry ≤ 5 -1 point

4. Candidate eligibility list

- a. The Human Resources Department will calculate and weight the scores from each section of the process. At that point, one half point will be added per year of sworn service past the initial five-year requirement to a maximum of 5 points to the total score to establish the eligibility list. Applicable sworn service is defined as a full time, paid, certified peace officer in any state.
- b. The top three candidates will be referred to the Chief and considered equal. In the event there is more than one vacancy, one additional candidate will be added per vacancy. The chief will select the person(s) to be promoted from that list based on overall qualifications, work history, and demonstrated leadership qualities
- c. Promoted candidates will be required to successfully complete the sergeant Field Training Program (General Order 3.5)
 - i. Candidates will receive sergeant step one pay during Field Training Program.
 - ii. If the promoted candidate does not successfully complete the Field Training Program, he/she will be moved back to the rank of police officer.
 - iii. The next candidate selected by the Chief will then enter the sergeant Field Training Program.

III. APPOINTMENT TO CIVILIAN SUPERVISOR, COORDINATOR OR MANAGER

A. Eligibility Requirements

Must meet all minimum requirements outlined in the position job description.

B. Selection Process

Selection will be made according to process guidelines made available after the job vacancy is posted.

IV. APPOINTMENT TO CAPTAIN

Appointment to this position will be made by the Chief of Police.

V. APPOINTMENT TO SPECIALIST POSITIONS

Appointments to positions requiring specialized technical or administrative skills may be made by the Chief of Police based on his assessment of the candidate's training, experience, and potential for success.

VI. LEADERSHIP TRAINING

The police department recognizes the need for leadership training for employees promoted to leadership positions with the organization. Listed below are minimum training metrics for the positions identified. The types of courses described below are not intended to be a limit of their leadership training. All leaders are encouraged to further their own development by seeking opportunities for different assignments within the department.

- A. All sworn first-line supervisors will attend a class on basic supervision within 12 months of promotion.
- B. All non-sworn first-line supervisors will attend a basic supervision course within 12 months of promotion.
- C. All lieutenants, captains, assistant chiefs and civilian managers will attend a management or executive development course within 12 months of promotion.

VII. PASS FOR CAUSE

- A. The Chief of Police may reject any applicant for promotion based on that applicant's record of unsatisfactory performance, discipline problems, or inadequate knowledge, skills, or abilities.
- B. The department reserves the right to promote the candidate it feels is most appropriate for the position.

VIII. APPEAL OF PROMOTION DECISIONS

Any employee who believes he has been unfairly denied an opportunity to participate in a promotion process or has been unfairly evaluated may appeal by following procedures outlined in City Policy on Complaints and Appeals.

Date of Filing _____, 20____

Time: _____

NOTICE OF INTENTION TO ENTER PROMOTIONAL SELECTION PROCESS

I hereby give notice of my intention to enter and compete in the promotional selection process for the position of _____.

On the date scheduled for the examination, I will have completed _____ years and _____ month's continuous service in the Lewisville Police Department. I currently hold the rank of _____ and my highest level of education is _____.

Applicant's Name (Print)

Applicant's Signature

Human Resources Staff

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.10

SUBJECT: OFF-DUTY EMPLOYMENT

(Std. Ref. 4.05)

DATE OF ISSUE:

10/01/01

POLICY

Department personnel frequently find it necessary to supplement income by working off-duty jobs, and sometimes off-duty jobs are helpful in providing manpower for department operations. Yet, off-duty jobs provide the potential for liability to the department and the officers. The implication in hiring a uniformed officer is that the officer may have to exercise legal authority for the benefit of the private employer. This directive establishes procedure to protect the department's reputation, provide for improved officer safety, limit civil liability, and to prevent conflict of interest and favored treatment for off-duty employers.

PROCEDURE

I. PRIOR APPROVAL REQUIRED

- A. Before beginning any off-duty work for pay, whether in uniform or out of uniform, an employee must obtain prior written approval on an authorized form from the Chief of Police. An authorization form for each employer and each job must be on file except for jobs posted by the Department. Officers need only to complete a generic form one time to cover all jobs posted in the future by the department. The Chief of Police must specifically approve the wearing of a Lewisville police uniform and the use of any City equipment including vehicles.
- B. Any job that results from any entity contracting with the City of Lewisville and in which the police employee is compensated by the City is not considered an off-duty job.
- C. The following types of off-duty employment are prohibited:
 - 1. Any work for an establishment whose principal business involves the sale, manufacture, or transportation of alcoholic beverages.
 - 2. Any work in a sexually oriented business.
 - 3. Any work for an organization or individual with ties to criminal activity.
 - 4. Any work for pay that involves an attempt to secure the election of any candidate for city office.

5. Work as a process server, reposessor, or bill collector.
6. A job towing vehicles with any operator providing service for an enforcement agency.
7. Employment in which police authority might tend to be used to collect money or merchandise for private purposes.
8. Work as a personnel investigator (background checks) or private detective for the private sector.
9. Work which assists the case preparation for the defense in any criminal proceeding or for either side in a civil action.
10. Work for a business or labor group which is involved in a strike.
11. Employment in occupations regulated or licensed by the police department.
12. Any work which presents the potential of conflict of interest for a Lewisville Police Department employee or which constitutes a threat to the dignity of the police profession.

II. ELIGIBILITY FOR OFF-DUTY WORK

- A. An officer must successfully complete the department Field Training Program before he is allowed to work off-duty.
- B. An officer who is on suspension is not permitted to work any off-duty police work as defined in IV, A.
- C. An officer who is unable to perform the duties of a police officer is not permitted to work off-duty police jobs. Any disability status which prevents an officer from working his regular duty assignment, failure to qualify with weapons or equipment, and psychological disability will preclude an officer from working off-duty police jobs.
- D. An employee is allowed to sign only his own name on an off-duty recruitment list posted through the Department.

III. WORKER'S COMPENSATION AND GENERAL LIABILITY

An officer working off-duty will not be covered by the City's Workers' Compensation or general liability plan unless the officer's injury or action is defined to be an official police act and was carried out in accordance with Lewisville General Orders.

IV. OFF-DUTY POLICE WORK

- A. Off-duty police work is any employment conditioned on the actual or potential use of law enforcement powers by the police employee.
- B. Only employment which helps to enhance the public safety or society overall as defined by the Chief of Police will be approved.
- C. Officers may work off-duty uniformed police jobs only within the City Limits of Lewisville or for entities in which contract services are provided.
- D. Officers working off-duty police jobs will:
 - 1. Take appropriate action when it becomes necessary in the judgment of the police officer to deal with violation of law or breach of peace that comes to his attention; and
 - 2. Comply with all department orders and directives at all times.
 - 3. Limit the total number of hours worked off-duty to 30 hours per week in excess of on-duty hours. This is necessary to ensure officer safety. An exhausted officer is less alert and more likely to be injured or use bad judgment.
- E. Officers working off-duty police jobs will not:
 - 1. Enforce the rules or regulations of their off-duty employer, or
 - 2. If in uniform, do any type of work outside a police officer's job description such as:
 - a. operate a cash register;
 - b. take tickets;
 - c. do janitorial work; or
 - d. demonstrate products.

- F. Officers out of uniform, performing off-duty police work, will not identify themselves as police officers except in an emergency to prevent the commission of a felony or breach of peace.
- G. Personnel will not endorse a private service or product. Department equipment will not be used to endorse a private service or product.
- H. Personnel may only use city equipment issued to them personally such as a uniform and firearm when approved by the Chief of Police.
- I. Department-approved off-duty work posted on the job board will cite how many times an officer can sign up for open shifts for the particular job.
 - 1. If the announcement does not state how many times an officer can sign up, only one shift per the period for which the job is posted (ex. Lake Patrol a month at a time, sign up only once a month, jobs posted a week at a time, once a week).
 - 2. Officers may sign up for more than one shift per period posted provided an opening has existed for 48 hours prior to the start of the shift.
- J. Personnel may remove their name from an off-duty posting by marking through their name with a single line. The officer is responsible for this assignment unless another officer signs up in that spot.
- K. Personnel will be disciplined for “Neglect of Duty” for missing an off-duty assignment.

V. OFF-DUTY NON-POLICE RELATED

Any employment allowed under this general order that does not involve the actual or potential use of law enforcement powers by the police employee.

VI. WORK DURING BREAKS

No employee is permitted to work for any person, company, agency or entity other than the City of Lewisville while on a meal break or other break during an assigned tour of duty.

VII. OFF DUTY EMPLOYMENT

- A. Work hours are defined as a combination of hours worked for the City of Lewisville and all off-duty employment.

- B. No more than 16 continuous hours, including duty hours, may be worked in a calendar day (12:00 a.m. through 11:59 p.m.) if the officer returns to duty for the City of Lewisville less than eight hours from the conclusion of that day's work hours.

VIII. COORDINATION OF OFF-DUTY WORK

- A. All requests for off-duty work received at the station will be routed to the Patrol Admin Captain who will:
 - 1. Ensure the job conforms to the standards of this order.
 - 2. Post the job announcement in a designated location.
- B. Any person of captain rank or higher may approve requests for off-duty work in an emergency situation provided the Patrol Admin Captain is unavailable (job must be posted in order to become filled prior to the Patrol Admin Captain's expected return).
- C. Officers will not solicit off-duty work which will require a uniformed officer. Officers will not solicit any off-duty work while on duty.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.11

SUBJECT: SEXUAL HARASSMENT

(Std. Ref. 2.11)

DATE OF ISSUE:

1/15/95

POLICY

The Lewisville Police Department prohibits sexual harassment in the workplace by any person in any form. Sexual harassment undermines the employment relationship. No employee will be subjected to unsolicited and unwelcome sexual overtures or conduct of any nature. Sexual harassment refers to behavior that offends nature.

PROCEDURE

Follow provisions of City of Lewisville Administrative Policy 2.2.1, "Unlawful Harassment."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.12

SUBJECT: VACATION REQUEST

**DATE OF ISSUE:
01/15/95**

POLICY

The Department encourages employees to use accrued vacation. However, it is necessary to maintain sufficient manpower to accomplish the mission. This policy provides for prior approval of vacation time to ensure effective scheduling.

PROCEDURE

I. VACATIONS OF THREE OR MORE DAYS

- A. An employee requesting three or more consecutive vacation days will file a written request with his immediate supervisor no less than five days prior to the starting date of the vacation.
- B. The Supervisor will:
 - 1. Ensure the requested time is accrued;
 - 2. Ensure the absence does not bring his work force below minimal requirements.

II. VACATIONS OF TWO DAYS

- A. An employee requesting up to two consecutive vacation days must file a written request with his immediate supervisor at least 24 hours prior to the start of the vacation.
- B. The Supervisor will:
 - 1. Ensure the time is accrued;
 - 2. Ensure the absence does not bring his work force below minimal requirements; and
 - 3. Approve or deny the request on the day it is received.

III. SINGLE VACATION DAY

An employee wanting a single day of vacation must contact his immediate supervisor for approval.

IV. OTHER VACATION CRITERIA

- A. Vacation will not be approved unless the employee has accrued time.
- B. Time limits for requests may be waived by the division commander in emergencies.
- C. Seniority will prevail in the approval of vacation requests; however, once a vacation has been approved, it will not be cancelled due to a subsequent vacation request from an employee with higher seniority. However, it may be cancelled due to emergencies. Any cancellation must be approved by the division commander.
- D. Vacations will not be approved more than three months prior to the beginning date of the vacation.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.13

SUBJECT: USE OF TOBACCO IN POLICE BUILDING

**DATE OF ISSUE:
10/01/01**

POLICY

In order to comply with the City of Lewisville Policy Statement 4.0, "City Facilities/Events" and ensure a pleasant and healthy work environment, this directive regulates use of tobacco in department buildings and vehicles.

PROCEDURE

I. SMOKING IS NOT PERMITTED INSIDE OF THE BUILDINGS, INSIDE OF DEPARTMENT VEHICLES, ON DEPARTMENT MOTORCYCLES AND BICYCLES, OR WITHIN 15 FEET OF ANY DOOR TO ANY BUILDING.

II. SMOKE BREAKS

- A. Employees may exit the building on authorized breaks in order to smoke. Smokers may not exceed authorized breaks granted to employees who do not smoke.
- B. Employees who smoke will place smoking refuse such as ash and cigarette or cigar butts in appropriate receptacles.
- C. Employees will not throw any smoking refuse on the ground.

III. SMOKELESS TOBACCO

- A. Employees using smokeless tobacco such as snuff and chewing tobacco will not do so in the presence of the public.
- B. Employees will spit tobacco in appropriate receptacles.
- C. Employees will never spit tobacco in drinking fountains, trashcans, sinks, toilets, urinals or potted plants.

IV. USE OF TOBACCO IN PRESENCE OF THE PUBLIC

Employees will not use tobacco products when conducting business with the public regardless of the location.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.14

SUBJECT: COMPLAINTS AND INTERNAL INVESTIGATIONS
(Std. Ref. 2.05, 2.07, 2.08 & 2.09)

DATE OF ISSUE:
10/19/09

POLICY

The Lewisville Police Department endeavors to deliver quality service to the community. In order to do this, the Department must be able to identify weaknesses and strengths in the service delivery system. Accordingly, the Department will fairly and objectively investigate all allegations of police misconduct in order to ensure the integrity of the Department. City of Lewisville Discipline Policy 2.9.1 applies in all disciplinary actions. The City of Lewisville is an at-will employer. No supervisor has any authority to modify the at-will status of employment.

PROCEDURE

I. AUTHORITY AND RESPONSIBILITY

- A. The Internal Affairs (I.A.) function is the responsibility of the Chief of Police. It includes the following duties:
 - 1. Record, register, and control the investigation of formal complaints against personnel in IAPRO software.
 - 2. Conduct investigations into serious allegations of misconduct or criminal activity (Class I).
 - 3. The chief of police will be notified of any internal affairs investigation, regardless of its classification, made against any department employee or volunteer as soon as practical.
- B. Each commander, manager, or supervisor will assume the duties and obligations of his position or rank during the investigation of a complaint against an employee. A commander, manager, or supervisor will not look to higher authority to initiate an investigation when the alleged misconduct is within the scope of his own authority and responsibility.
- C. All members of the department are required to cooperate fully with any person assigned by proper authority to investigate a disciplinary matter. All employees must truthfully answer all questions from supervisors or IA investigators.
- D. Supervisors or I.A. investigators shall notify the person who files a complaint, against an employee or volunteer, of the results of any investigation.

- E. All complaint and investigation records shall be maintained in a secure manner and maintain compliance with the Public Information Act.

II. EVALUATION OF COMPLAINTS ON EMPLOYEES

- A. The supervisor may explain a department policy or procedure if the complaining person has a misunderstanding of department operations without submitting a complaint in the Axon system.
- B. If the complaint concerns a law the department must enforce, or a matter over which the department has no jurisdiction, the supervisor should explain the situation and refer the complainant to the person or agency that can best respond to the situation.
- C. All complaints from all internal and external sources will be considered. All complaints against officers must be made in writing and be signed. The signature of a supervisor who is aware of the facts of an incident will fulfill this requirement for an internally or externally originated complaint.
- D. Any employee receiving a complaint will refer the complaining person to a supervisor, preferably the supervisor over the person or unit which is the subject of the complaint. If a complaint involves a non-department City of Lewisville employee, the supervisor will still meet with the complaining person to direct them to an equivalent supervisor in the correct department for consideration of their complaint (A complaint in the Axon system does not need to be completed for non-department employee complaints).
- E. The supervisor receiving the complaint will attempt to interview the person and complete a complaint in the Axon system. If the complainant refuses to be interviewed, the supervisor will give him an Internal Affairs packet and complete as much of the complaint in the Axon system as possible. This supervisor will initiate the complaint in the Axon system whether or not the issue involves his unit.
- F. The receiving supervisor should photograph any injuries or damage alleged.
- G. The receiving supervisor will assess the nature and seriousness of the incident and categorize it as follows:
 - 1. Class I complaints concern serious misconduct. They are investigated by the IA unit. They may include, but are not limited to:
 - a. Civil rights violations
 - b. Excessive use of force
 - c. Criminal activity

- d. Death or injury of any person in police custody
 - e. Discharge of firearms
 - f. Violations of policy or procedure that is likely to result in suspension or termination
2. Class II complaints concern minor misconduct. They are investigated by the employee's supervisor. They may include, but are not limited to:
 - a. Discourtesy
 - b. Improper procedures which typically result in counseling or letter of reprimand
 - c. Poor job performance
 - d. Driving complaints
 3. If it is unclear if an investigation is a Class I or II, complete a complaint in the Axon system and forward it electronically through the employee's chain of command to the bureau commander. The classification of the complaint will be determined at the bureau level.

III. PROCESSING CLASS II COMPLAINTS

For each Class II complaint, the receiving supervisor will forward the complaint in the Axon system electronically through the employee's chain of command to the division commander. In all cases, the supervisor will comply with City of Lewisville Administrative Policy 2.9.1, "Discipline."

- A. When a complaint in the Axon system is forwarded to the unit supervisor for investigation, the unit supervisor will do the following:
 1. The unit supervisor will conduct a preliminary investigation, and if it is determined that disciplinary action may occur, a "Notice of Complaint" form is completed and provided to the employee in question within a reasonable time.
 2. The unit supervisor will allow the employee to make a written statement and include the statement as an attachment to the complaint in the Axon system.
 3. The unit supervisor will document the resolution in the complaint in the Axon system and forwarded to the watch or division commander. Any letter of reprimand must be forwarded to IA for entry into the control log.
 4. If the incident is a commendation, the unit supervisor will complete an Kudos_External in the Evaluation System and take appropriate action.

5. After division review, the complaint in the Axon system will be forwarded to the appropriate bureau commander.

IV. PROCESSING CLASS I COMPLAINTS OR FORMAL COMPLAINTS

- A. When the complaint is Class I, or someone wishes to make a formal complaint, the supervisor will explain the Internal Affairs Complaint packet to the person and ask if assistance is needed in completing the packet. The supervisor should explain the importance of returning the packet for the complaint to be processed. The receiving supervisor should immediately forward the CSA form electronically through the employee's chain of command to the bureau commander.
 1. For disciplinary action to occur, citizen complaints against police officers must be in writing and signed by the complaining person as required by V.A.C.S. 6252-20. The citizen's signature on the form should be notarized prior to submission to Internal Affairs. Whenever possible, supervisors will follow the same procedure in processing formal complaints by citizens against civilian employees.
 2. If the complainant cannot write, the supervisor will take the statement and read it back to the complainant. He will then have the person make his mark before a witness.
 3. A copy of the signed Internal Affairs complaint will be given to the accused employee as soon as possible after receipt of the form. An employee will not be notified if it would jeopardize an investigation into a criminal matter.
- B. A commander, when requested by the Internal Affairs Unit, may appoint a supervisor to investigate formal complaints alleging minor misconduct.

V. PROCESSING MANAGEMENT COMPLAINTS

- A. Each supervisor must maintain discipline in accordance with this directive.
 1. No disciplinary action may be taken without completion of a "Notice of Complaint" form.
 2. Disciplinary action begins at the level of an oral reprimand.
- B. In situations that involve the supervisor's firsthand knowledge of the infraction, the supervisor will:

1. Take prompt action if the infraction is one that can be resolved by counseling, an oral reminder/reprimand, or a written reprimand. (Class II). Supervisors should take into consideration previous infractions for the same issue and the timeframe related to the current infraction. Captains should be consulted before issuing a written reprimand to ensure consistency department-wide.
2. Request an IA investigation if the incident is one that could result in suspension, demotion, or termination. (Class I).
 - a. Submit an Internal Complaint Form requesting an investigation through the chain of command to the Chief of Police. The request should describe the events around the suspected violation in as much detail as possible.
 - b. This I.A. procedure should not be used to process suspected violations, which could be resolved by minimal inquiry.

VI. SUPPLEMENTAL

If Class I investigation requires additional personnel, the IA commander will request temporary assignment of personnel to the IA unit. In such cases, the personnel will report directly to the IA supervisor.

VII. CLASS I INVESTIGATION FORMAT

A. Each Class I investigation will be presented in this format:

1. Summary

The summary is a concise account of the incident and results of the investigation.

2. Initiation of Investigation

This section explains what started the investigation and contains the appropriate documents:

- a. Formal citizen complaint
- b. Supervisor report
- c. Customer Service Analysis form
- d. Other

3. Employee Notification

This section contains communication with the accused employee concerning the investigation and includes:

- a. Notification form
- b. Garrity Warning, when applicable
- c. Charging document
- d. Notification of conclusion

4. Report of Investigation

This section is the detailed investigator's report in chronological order. This report must include a list of witnesses with best contact information and a brief statement of witness testimony.

5. Appendices

This section contains documentation and support material such as:

- a. Copies of applicable LPD policies
- b. Written statements
- c. Reports
- d. Other (lab reports, diagrams, when applicable)

6. Final Disposition

This section explains the final disposition of the investigation.

- B. The investigation will be presented in a binder with dividers between sections.

VIII. CLASSIFICATION OF COMPLAINT DISPOSITIONS

- A. On conclusion of an investigation, the person assigned to the case will submit a complete report to the chief of police and recommend one of the following classifications:
 - 1. Unfounded - allegation is false or not factual.
 - 2. Exonerated - incident did occur but was legal and proper.
 - 3. Not Sustained - insufficient evidence to either prove or disprove the allegation.
 - 4. Sustained - allegation is supported by sufficient evidence.
- B. An investigation may reveal sustained acts of misconduct that were not alleged in the original complaint. When this occurs, an additional classification of violation not related to initial complaint will be added.

IX. SPECIAL PROCEDURES

- A. Criminal Activity
 - 1. When an employee is alleged to be involved in criminal activity, the Criminal Investigation Division or another agency having jurisdiction will conduct a separate investigation. The Criminal Investigation Division or that agency will be responsible for case preparation and filing charges, when warranted.
 - 2. If an employee is arrested or charged by any agency, whoever receives the information will notify the chief of police through their chain of command immediately. The ADO should be contacted after hours to ensure proper notification takes place.
 - 3. Employee must notify the chief of police as soon as possible if he is arrested for any reason.
- B. Shooting Incidents Involving Department Personnel
 - 1. All shooting incidents involving a firearm (for example, a handgun, rifle, or shotgun) will be immediately reported to the chief of police and investigated by the Internal Affairs Unit. If the shooting event occurs after hours, notify the ADO who will call out an internal affairs investigator.
 - 2. In the event that a sick or injured animal is euthanized with a firearm, the officer should notify his immediate supervisor. The supervisor will conduct an administrative inquiry of the incident. The findings will then be forwarded

to the Chief of Police. If the investigating supervisor has any questions or concerns, he should then call for the Internal Affairs investigator to respond to the scene. The officer will need to complete the firearm discharge report.

3. All shooting incidents involving a less lethal weapon (for example, a TASER or less lethal shotgun) that result in death or serious bodily injury will be immediately reported to the chief of police and investigated by the Internal Affairs Unit. If the shooting event occurs after hours, notify the ADO who will call out an internal affairs investigator.
4. There will be separate investigations by Internal Affairs and the Criminal Investigation Division, or another agency with jurisdiction in all shootings resulting in death or serious bodily injury.
5. All shootings resulting in death or serious bodily injuries, other than self-inflicted injuries, will be referred to the Denton County Grand Jury.
6. Internal Affairs and the Criminal Investigation Division, or another agency with jurisdiction will also conduct separate investigations into shootings that result in minor injuries when there is an allegation of criminal conduct.
7. The department will offer professional psychological assistance to an employee involved in a legitimate duty-related shooting resulting in death or injury. At the discretion of the chief of police with approval of the personnel director, psychological counseling may be required before the employee is returned to duty. The examination shall be job related and consistent with business necessity.

C. Response to Resistance Incidents Causing Death or Serious Bodily Injury

1. All response to resistance incidents that result in death or serious bodily injury will be immediately reported to the Chief of Police and investigated by the Internal Affairs Unit.
2. If the event occurs after hours, notify the ADO who will call out an internal affairs investigator.

D. Emergency Suspension

Supervisors have the authority to temporarily relieve an employee from duty when it becomes evident the employee is physically, emotionally, or mentally incapable of performing his duty.

E. Employee Complaints

Each employee is obligated to report violations committed by other employees to the appropriate supervisor. Violations include disobedience to laws, directives, policies, procedures, and orders.

F. Administrative Inquiries

1. An Administrative Inquiry is an informal review of an incident or occurrence prepared for the Chief of Police or designee to determine if an Internal Affairs Investigation is needed.
2. The Chief of Police can cause the assignment of an Administrative Inquiry into the circumstances of an allegation or incident to determine the appropriate direction of a complaint.
 - a. An Administrative Inquiry will be assigned to the Internal Affairs Unit or other designee as directed by the Chief of Police.
 - b. Upon completion, the investigator will deliver his findings directly to the Chief of Police.
3. The purpose of an Administrative Inquiry is to determine if sufficient facts exist to warrant an Internal Affairs investigation. After a review of the completed inquiry, the Chief of Police may;
 - a. If no further investigation is necessary, direct the Division Commander to resolve the investigation through the applicable administrative process, or;
 - b. If determined further investigation is warranted, forward the documentation to the Internal Affairs Unit to begin a formal investigation.

X. DISCIPLINE HEARING

- A. A hearing will be held to consider cases which may result in termination, demotion or suspension. The chief of police may convene a board of employees to conduct this hearing.
- B. Accused employees may request to waive their appearance before a board in writing and go directly before the chief of police for any imposed discipline.
- C. If a board is used, the chief of police will appoint a person to present the investigation into the allegations against the accused employee.

- D. The purpose of the board is:
 - 1. To review the circumstances concerning the issues and hear relevant witnesses.
 - 2. Make a recommendation concerning any penalty.
- E. The chief of police will determine any penalty which might be imposed and inform the accused employee.
- F. Employees may follow the appeal process for any disciplinary action taken against them in accordance with City Administrative Directive 2.12.7, "Employee Complaint/Appeal."

XI. DISPOSITION TIMELINE

- A. The processing of all Class II complaints should normally be completed within thirty (30) days.
- B. The processing of all Class I complaints should normally be completed within sixty (60) days.
- C. The chief of police shall be notified of any complaint that is not processed within the above timelines. The chief of police may extend the disposition timeline.
- D. The Chief will schedule a disciplinary board within 10 days of completion of any internal investigation where the potential penalty is a suspension or greater. If the affected employee(s) receives any disciplinary action from a written reprimand or greater, the employee(s) may appeal the action under City of Lewisville administrative directive 2.12.7., Employee Complaint/Appeal. The department will not carry out any disciplinary action unless the time period for appeal elapses or the appeal is heard.

**N O T I C E
O F
C O M P L A I N T**

Date of Notification: *Date form is given to employee*

Employee's Name: *Name of employee*

Alleged Violation (include policy reference and description):

This should include the date and time of incident as well as a description of the complaint alleged.

Supervisor's Printed Name: *Unit Supervisor*

Supervisor's Signature: *Unit Supervisor*



LEWISVILLE POLICE DEPARTMENT
Office of Professional Standards
Administrative Inquiry



SECTION 1: INVESTIGATOR					
NAME:		ID #:	RANK:	DIVISION:	
WORK NUMBER:	CELL NUMBER:		EMAIL ADDRESS:		

SECTION 2: CIVILIAN COMPLAINANT	
NAME:	ADDRESS:
PHONE NUMBER:	EMAIL ADDRESS:

NARRATIVE:
Clearly and chronologically state what happened, ensuring that you articulate the conduct, facts, and evidence in support of the allegation(s).

I certify the facts contained herein are true and correct.

Investigator

Date

I have reviewed this inquiry and it will be:

- Forwarded to the Internal Affairs Unit for a formal investigation.
- Forwarded to Division Commander for resolution through the applicable administrative process.
- No further action needed. No policy violation.

Chief of Police

Date

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.15

**SUBJECT: DRUG FREE WORK PLACE AND
TESTING POLICY**

**DATE OF ISSUE
01/15/97**

POLICY

The City of Lewisville has established a policy (2.2.3) to ensure a drug-free workplace. Part of that policy requires post accident and random drug/alcohol testing of employees. This order ensures the Lewisville Police Department complies with the policy.

PROCEDURE

Follow City of Lewisville Administrative Policy 2.2.3, "Drug and Alcohol Free Work Place and Testing Policy."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.16

SUBJECT: DISABILITY MANAGEMENT

**DATE OF ISSUE:
01/15/95**

POLICY

This directive ensures compliance with City of Lewisville Administrative Policy and Procedure 2.12.9, "Disability Management and Supplemental Injury Leave." The objective is to attempt to return employees who are off work due to disability, illness, injury, or medical condition to productive positions at the earliest appropriate time.

PROCEDURE

Follow City of Lewisville Administrative Policy 2.12.9, "Disability Management and Supplemental Injury Leave."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.17

SUBJECT: BREAKS

**DATE OF ISSUE:
06/07/99**

POLICY

This directive establishes procedures for all police officers taking breaks.

PROCEDURE

- I. Officers must check out of service over the radio with a dispatcher each time they take a break. Officers are required to remain awake and alert during compensable time while on duty and must remain dressed in the complete police uniform.
 - A. Officers assigned to a 12-hour shift
 1. Officers are compensated for and considered on-duty, during the entire 12 hour period (including meal breaks).
 2. Officers assigned to 12-hour shifts shall take up to one hour in breaks if calls for service allow. Breaks on the eight hour day of the 80-hour pay period should total no more than 45 minutes if calls for service allow.
 3. Meal breaks for officers assigned to a 12 hour shift who are attending a training session are the same (usually one hour) as that of officers attending the school who are assigned to an eight or nine hour schedule. Officers on a 12-hour schedule will not be compensated for their meal break when attending training if that training is on an eight hour day.
 4. Breaks begin when the officer checks out over the radio with a dispatcher at a location. Until that time, officers are on duty and available for call.
 - B. Officers assigned to an 8.5 hour shift
 1. Officers assigned to 8.5 hour shifts shall take one uninterrupted, 30-minute uncompensated meal break. Officers who are unable to take their entire 30 minute break will be compensated for the break as time worked.

2. Officers may take two compensated 15-minute breaks if calls for service allow (these breaks cannot be taken at one's work station). One of the 15-minute breaks may be combined with the meal break for a maximum of 45 minutes if calls for service allow.
3. Breaks begin when the officer checks out over the radio with a dispatcher at the location. Until that time, officers are on duty and available for call.

C. Officers assigned to a 9-hour shift

1. Officers assigned to a 9-hour work day shall take a one-hour uncompensated lunch break.
2. Officers may take two compensated, separate 15-minute breaks if their work schedule allows (these breaks cannot be taken at one's work station).
3. All breaks begin when the officer leaves his assigned work facility. Until that time, officers are on duty and available for call.

D. Officers assigned to a 10.5 hour shift

1. Officers assigned to 10.5 hour shifts shall take one uninterrupted, 45-minute meal break (15 minutes of this break is considered compensable). Officers who are unable to take their entire 45 minute break will be compensated for the break as time worked.
2. Breaks begin when the officer checks out over the radio with a dispatcher at the location. Until that time, officers are on duty and available for call.

E. Officers assigned to an 11-hour shift

1. Officers assigned to 11-hour shifts shall take a one-hour uncompensated lunch.
2. Officers may take two compensated, separate 15-minute breaks if their work schedule allows (these breaks cannot be taken at one's work station).
3. Breaks for a uniformed officer in a marked squad begin when the officer checks out over the radio with a dispatcher at the location. For non-uniformed personnel, breaks begin when the officer leaves his assigned work facility. Until one of these occurs, officers are on duty and available for call.

- F. Officers wearing the police uniform or driving a marked police vehicle may not leave the City of Lewisville for meal breaks and may not go to their residence for meal breaks if the residence is outside the City of Lewisville. This requirement to take meal breaks within the City of Lewisville does not apply to officers assigned to training, court or special assignments scheduled outside the City of Lewisville. The Chief of Police may authorize specific restaurants outside the City of Lewisville where meal breaks may be taken. The Chief's office will maintain the list of authorized restaurants outside of the City of Lewisville.

- II. Watch commanders or supervisors of officers of specialized units, will determine the appropriate number of officers that may be on break, based on shift needs.

- III. While on a break, officers must monitor portable radios and are subject to immediate recall for duty.

- IV. Any officer injured on a meal break performing any activity outside the course and scope of their regular employment may not be compensated by worker's compensation.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.19

**SUBJECT: EMPLOYEE AND DEPENDENT
SICK LEAVE/FMLA**

**DATE OF ISSUE:
08/15/00**

POLICY:

Lewisville Police Department complies with all applicable federal and state laws governing employee sick leave and family medical leave. Employees are reminded that Employee and Dependent Sick Leave should be viewed as a form of insurance to be used during a period of illness or injury as defined in City of Lewisville Administrative Policy and Procedures 2.12.3, Employee and Dependent Sick Leave/Funeral Leave and 2.12.8, Family and Medical Leave (FMLA). It is expected that the actual use of these benefits will be less than the number of days provided per year so a leave balance will be available when there is a need to provide for a lengthy illness.

PROCEDURE:

Follow City of Lewisville Administrative Policies 2.12.3, "Employee and Dependent Sick Leave/Funeral Leave" and 2.12.8, "Family and Medical Leave (FMLA)."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.20

SUBJECT: FUNERALS

**DATE OF ISSUE:
05/10/04**

POLICY

The Department strives to offer impartial assistance to all members of the Department's Police Family during a time of need. Services provided to the Police Family depend on several factors. These include the availability of the Department's resources and the primary role of providing public safety to our community. The Chief of Police may approve deviations from this policy depending on those factors.

PROCEDURE

I. FUNERAL COORDINATION TEAM

- A. On the death of a Lewisville Police Department employee from accidental, natural, or criminal causes, the Department will activate the Funeral Coordination Team. The team consists of the members listed below. It is the responsibility of the Team to assist the surviving family.
1. Commander – Bureau Commander (assistant chief) of the deceased member
 2. Resource Officer (appointed by the Chief of Police)
 3. Honor Guard Commander
 4. Family Liaison Officer – an officer known by the deceased employee's family, when possible (appointed by the Commander with recommendation by the Captain of the deceased)
 5. A Police Chaplain
 6. Public Information Officer – Administrative Duty Officer or someone designated by the Chief of Police.

II. NOTIFICATION OF STAFF AND FAMILY REGARDING EMPLOYEE DEATH

- A. At the time of an employee's death on duty, the highest-ranking officer at the scene will notify the Chief of Police, or his designee, and the Commander of the Funeral Coordination Team (assistant chief of the deceased). The deceased member's name will not be released to the media until immediate family members are notified.

- B. The Commander of the Funeral Coordination team will notify the other members of the team, members of the City Manager's Office, and the City Council.
- C. A Notification Team consisting of the Chief of Police, and/or the Commander of the Funeral Coordination Team and the Family Liaison Officer, if possible, should make notification to the immediate family members or other personnel or citizens deemed appropriate by the Chief of Police. At least one officer should be in uniform. The notification of family members should be made as soon as possible after the death of an employee.
 - 1. **Employees outside the Notification Team should not inform family members prior to official notification.** This would not apply to employees who may be with the family at the time of death. In the event the deceased employee's family lives outside the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department, the Chief of Police or his representative will notify the law enforcement agency having jurisdiction to make the notification in person.
- D. In the event an employee is transported to the hospital with life-threatening injuries, the highest ranking officer at the scene will notify staff members in the same manner as in Section A. This officer will assist immediate family members to the hospital by means of department vehicles, if necessary, and to secure adequate supervision for minor children, if requested.
 - 1. If possible, separate waiting facilities should be made available for the family away from the public and media. If the employee expires before the appropriate delegation arrives, the highest-ranking officer at the hospital will notify the family.

III. FUNERAL SERVICES

A. Definitions:

- 1. **Death of Another Law Enforcement Agency Member** – A member of an agency who is involved in enforcement of criminal laws who dies while taking any action that the member is authorized or obligated to perform.
- 2. **Death in the Line of Duty** - Death of a member of the Department who is actively employed or in an authorized volunteer service who suffers a fatal injury while taking any action that the member is authorized or obligated to

perform by law, rule, regulation, or condition of employment whether on or off duty.

3. **Death Not in the Line of Duty** – Death of a member of the Department who is actively employed or in an authorized volunteer service who suffers a non-police-related fatality or injury while on or off duty.
4. **Escorts** – Personnel and equipment provided by the Department to render honors and facilitate movement of the funeral procession.
5. **Local Funerals** – Local funerals for purposes of this order are funerals within the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department.
6. **Honorable Conditions** – a status, whatever the cause of death, wherein the employee is not under investigation or under suspicion of committing a criminal offense or serious misconduct at the time of death.
7. **Honor Guard Assignments** – The Honor Guard is composed of the following components (The Honor Guard commander may assign personnel to perform multiple assignments provided the dignity of the service is maintained):
 - a. **Color Guard** – A minimum of two flag bearers and two arms bearers with at least two alternate officers.
 - b. **Casket Guard** – A two-person Guard selected from the Honor Guard who will be assigned to the casket during all hours of viewing in the event the body is to lie in state.
 - c. **Firing Detail** – Seven officers and one supervisor who will fire an honor salute for “Deaths in the Line of Duty”.
 - d. **Flag Folding Detail** – Six officers and one supervisor who will conduct the flag ceremony when Police or Department Honors are prescribed.
 - e. **Pallbearers** – Six to eight persons (usually selected among employees who worked with the deceased and approved by the family) who will carry the casket from the church or funeral home to the funeral coach and then from the coach to the place of interment.
 - f. **Taps** – Bugle call customarily played at military funerals.

8. **Honor Guard Detail** – A group of volunteers selected from the Department who will perform ceremonies authorized by this directive.
9. **Police Family Members** – The term Police Family Members refers to the immediate surviving family members to include:
 - a. Next of Kin;
 - b. Sons, daughters, and all legal dependents;
 - c. Spouses of the sons and daughters;
 - d. Father, mother, step-father, and step-mother; or
 - e. Brothers, sisters, stepbrothers and stepsisters.
10. **Retired Member Death** – any sworn or non-sworn person considered retired by the Texas Municipal Retirement System from the Lewisville Police Department.

B. Full Police Honors

In the case of an employee's death in the line-of-duty under honorable conditions, the wishes of the employee's family will hold priority over all other considerations. Full Police Honors are listed below:

1. A police funeral flag may be flown at all police facilities from the time of death of the member until immediately following the committal service.
2. All members of the Department, with badges, will cover the badge with a black strip of material horizontally across the State Seal from the death until after committal service.
3. Casket guards will be present at the casket when the deceased is lying "in state."
4. A Department uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform.
5. The Department will provide a detail to serve as uniformed pallbearers, if desired by the family.

6. The Department will provide a United States Flag to drape the casket, if desired by the family.
7. The Honor Guard will conduct flag folding ceremonies.
8. The Chief of Police or his designee will present the flag to the family. Additional flags may be presented to other immediate family members on approval of the Chief of Police. Additional flags will be pre-folded and passed over the casket before presentation.
9. The Honor Guard may perform a twenty-one-gun salute.
10. "Taps" may be played at the committal service (or other appropriate music).
11. The Department will provide family and procession escorts as allowed by law.
12. The Department will provide department vehicles to a reasonable extent for the immediate family.
13. Special Assignment status will be given to members of the Funeral Coordination Team when reasonably needed to assist the family and to make arrangements. Overtime is authorized only if flexing members of the Coordination team's schedule is impractical.
14. When the funeral is to be outside the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department, but within the continental United States, a memorial service may be held in Lewisville with all honors up to the time of departure of the body.
 - a. Two officers will be assigned to attend the funeral on special assignment status in addition to the Chief of Police and Bureau Commander of the deceased, pending the availability of travel funds as approved by the Chief of Police.
 - b. Other department personnel may accompany assigned personnel if they desire, at their expense and use of appropriate leave.
 - c. Special assignment status would include assisting the family during travel out of the area.

C. Department Honors for Employees

Department Honors are rendered at funerals of employees whose death is not in the line of duty. Department Honors will be rendered upon the family's request. Department Honors are listed below:

1. A police funeral flag may be flown at all police facilities from the time of death of the member until immediately following the committal service.
2. A detail to serve as uniformed pallbearers, when desired by the family.
3. Casket Guards present at the casket when the deceased is lying "in state," as desired by the family.
4. All members of the Department, with badges, will cover the badge with a black strip of material horizontally across the State Seal from the death until after committal service.
5. A Departmental uniform, if appropriate, will be provided for the burial of the deceased, if the deceased was eligible to wear a uniform.
6. The Honor Guard Commander will arrange for "Taps" or other appropriate music to be played at the committal service.
7. Two department representatives, upon approval of the Chief of Police, may attend an employee's funeral on Special Assignment Duty if the funeral is outside the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department.
8. The Department will provide family and procession escorts as allowed by law.

D. Department Honors for Retired Members

1. Department Honors for retired members who die under honorable conditions are subject to approval of the Chief of Police. The Department Honors available are listed as follows:
2. All members of the Department, with badges, will cover the badge with a black strip of material horizontally across the State Seal from the death until after committal service.

3. If requested by the family, a Department uniform, if appropriate, will be provided for the burial of the deceased, if the deceased was eligible to wear a uniform.
4. The Honor Guard Commander will arrange for “Taps” or other appropriate music to be played at the committal service.
5. The Chief of Police will determine if and the number of department representatives who will attend an employee’s funeral outside the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department. If the funeral is within the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department, all employees who can be spared from duties and wish to attend may do so with approval from their chain of command.

E. Ceremonial Honors

1. Ceremonial Honors are the rendering of honors on, but not limited to, the following occasions:
 - a. The funeral of a member of another Law Enforcement Agency, where the death of the other Law Enforcement Agency employee took place in the line of duty and the death occurred in Lewisville and/or the funeral or committal service will take place in Lewisville. However, it is conceivable that Full Departmental Honors may be rendered with the approval of the Chief of Police. The Department will assist the outside agency, as that agency will have primary responsibility for the arrangements.
 - b. The funeral of a person, including a Department volunteer, that the Department wishes to honor.
 - c. The Chief of Police will select which Department Honors the Department will render as Ceremonial Honors.

F. Death Under Less Than Honorable Conditions

1. The Department will not provide honors for the funeral or other service if the employee’s death occurs under circumstances considered “less than honorable conditions.”
2. Employees desiring to attend the service will do so on their own time.

G. Police Officer Funerals – Other Agencies

1. The Chief of Police will select up to two officers to officially represent the department at the funeral of another law enforcement agency's officer(s) within the D/FW Metroplex or a 50-mile radius of the Lewisville Police Department.
2. The Chief of Police may allow up to two Honor Guard members to represent the department at any police officer funeral, regardless of distance.

H. Funerals of Family Members of Employees

1. Department employees who can be spared from duties may attend the local funeral of "Police Family Members" on department time. Time away from duty must be approved by the appropriate chain of command.
2. The Department may provide an escort for immediate family members to the funeral service and participate in the procession if allowed by law.
3. The use of any department vehicle requires approval of the Chief of Police.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.21

**SUBJECT: CRITICAL INCIDENT STRESS
MANAGEMENT PROGRAM**

**DATE OF ISSUE:
06/29/05**

POLICY

The Lewisville Police Department recognizes that critical incident stress is a potentially harmful condition. The department will provide resources to all employees/volunteers affected by a critical incident occurring as a result of the incident in which an employee/volunteer was participating in for the department. Because it is more widely used and accepted regionally, the Lewisville Police Department will use the “Mitchell Model” of Critical Incident Stress Management, hereinafter referred to as CISM.

PROCEDURE

I. DEFINITIONS:

- A. **Critical Incident** – a traumatic event (or perceived life-threatening event) that has sufficient power to overwhelm an individual's ability to cope. Normal physical and psychological responses occur, which place considerable pressure upon that person. When the stressor becomes extremely threatening, overwhelming or severe, it often produces a heightened state of cognitive, emotional and behavioral arousal called Traumatic Stress. (Traumatic Stress [TS] and Critical Incident Stress [CIS] are terms that are often used interchangeably.) After having been exposed to traumatic stress, employees may experience a range of reactions including deterioration of job performance, personality change, anxiety states, relationship discord, grief reactions, depression and suicidal ideations. These effects can be immediate, appear later or both.
- B. **Debriefing** – Similar to a defusing meeting; however, is held a few days after the incident and is more structured.
- C. **Defusing** – A process of group meetings or discussions about a traumatic event. The meetings are held within a few hours of the incident.
- D. **Peer Support System** – Peer interaction is believed to be very effective among groups who identify themselves as being unique, selective, or otherwise different as compared to the general population. CISM is a peer driven support system.

II. PROCEDURE

- A. There shall be mandatory CISM intervention in the event of line of duty deaths and police shootings.
- B. The CISM team may be activated for other incidents at the discretion of the Watch Commander or higher ranking officer. Upon activation, the CISM team shall evaluate the situation and respond according to the training provided by the department. Other qualifying incidents include:
 - A large scale natural disaster,
 - A man-made disaster or terrorist event,
 - Death or violence involving children, or
 - Any significant event in which a supervisor believes may adversely affect employees or volunteers.
- C. When a defusing or debriefing is held, all personnel who were involved in the incident will be required to attend. Any exceptions will be made by the CISM team members after careful consideration of the circumstances.
- D. The department's CISM team will conduct the defusing. An outside CISM team will conduct the debriefing.
- E. All communication between the CISM team members and department personnel shall be considered strictly confidential. The team members will not discuss such conversations with other members of the department to include supervisors or investigative personnel. Limits to confidentiality are when there is:
 - a. A clear threat to self.
 - b. A clear threat to other people.
 - c. Information regarding a serious crime.
- F. No written records will be kept of conversations between CISM team members and department personnel.
- G. Confidentiality is administratively provided and may not be recognized in civil and criminal court proceedings.
- H. The Watch Commander or higher ranking officer will activate the CISM system by having the Communications Section notify by phone or pager those personnel so designated by the department. Activation may occur as a result of a

recommendation received from a CISM team member.

- I. Because personnel from surrounding areas will be used by this department for critical incident stress debriefings, department personnel should be allowed to assist surrounding agencies when they request the same service.
- J. Personnel designated to practice CISM will do so in accordance with training provided by a certified CISM Instructor and should be afforded periodic recurring training to maintain current skill levels.
- K. Also available in the CISM system are “peer counselors”. These are trained employees which are used after the initial CISM actions to allow personnel to have someone to talk with in the months following an incident. The Peer Counseling course is separate from the CISM course and should be offered to any interested and qualified applicant who is suited to offer assistance to department personnel and volunteers needing help. Having peer counselors assigned throughout the department helps to ensure there is always someone available when an employee needs to talk about an incident.

III. CISM TEAM MEMBER AND PEER COUNSELOR GUIDELINES

- A. Members must meet the following requirement:
 - 1. At least three years of experience with the Lewisville Police Department.
 - 2. Hold a rank of no higher than a first-line supervisor.
 - 3. Pass an interview conducted by CISM Team members, designed to analyze related job and life experiences as well as the level of commitment to the program.
 - 4. Selection must include approval of the Chief of Police or his designee.
- B. The department will select at least one representative from each section of the department as a CISM Team member and as a Peer Counselor. Members, however, may serve in both capacities. Additional personnel may be selected if a representation deficiency exists from either group.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 2.22

SUBJECT: PHYSICAL FITNESS PROGRAM

**DATE OF ISSUE:
01/10/20**

POLICY

The Lewisville Police Department endeavors to deliver quality service to the community. In order to do this, sworn officers must have the physical ability to perform all functions of their duty. To ensure this ability exists, a physical fitness program has been implemented for all sworn positions.

PROCEDURE

I. DEFINITIONS

- A. Physical Fitness Program (PFP) – The Lewisville Police Department has adopted the manner used by the Texas Department of Public Safety (DPS) to determine the standard of our department. This manner includes the use of the Concept 2 Rower in the 500 and the 2000-meter tests, along with the 4-minute test. Officers are required to participate and pass the rowing test during the yearly testing cycle. A row test will not be part of return to duty testing.
- B. Physical Fitness Standard (PFS) – The department will use a calculation based on the criterion of sex, age, and weight to determine the physical fitness percentage of the officer. The fitness percentage set by the department is based on suggested input from DPS. The current standard is set by the Chief of Police at 60%.
- C. Physical to Enter Fitness Program form – This form will be used for the officer's doctor to notate whether or not the officer is physically capable of being tested on the Concept 2 rower.
- D. Disability Management refers to Administrative Directive 2.12.9
- E. Rowing Tester – A rowing tester is one that has been trained and certified by DPS to administer row testing on the Concept 2 rower.
- F. Yearly Testing Cycle – The yearly testing cycle will occur during the first quarter of each calendar year. If an officer misses testing due to being off work, and required to take a return to duty test, the officer will have 60 days from passing the return to duty test to take their row test.

Revised 05/26/20, 8/25/2021

- G. Fitness Improvement Program (FIP) – The department will assign an officer to this program when the officer fails the annual PFS. The program consists of seeing a doctor at the Wellness Center, or other assigned facility, to consult the officer on nutrition and physical fitness. The department will assign a rowing tester to the officer and must participate in rowing workouts, twice a week, for the last 30 minutes of that officer’s shift.
- H. Incentive Program – This program is in place to encourage an officer to achieve his/her maximum fitness for a sustained period.
- I. Fitness Hour - A fitness hour is equivalent to an officer’s regular work hour. Fitness hours may be used by the officer for employee leave. Fitness hours must be used within the calendar year of accrual or they will be lost. Fitness hours will not be paid in the event of employee separation.

II. PHYSICAL BY DOCTOR

- A. An officer must complete all physicals to enter physical fitness program at one of the following locations.
 - 1. Concentra, at the city’s expense.
 - 2. Wellness Clinic, employee’s cost per his health plan choice
 - 3. Private practice of any doctor, at the officer’s expense.
- B. The doctor must sign the Physical to Enter Fitness Program form (attached), indicating the officer is capable of completing one of the approved row tests. The doctor may use additional questionnaires to complete the physical. Those questionnaires should be maintained by the doctor and not returned to the city.
- C. Physicals are valid for one calendar year. Officers must have a valid physical form on file with Human Resources prior to participating in the yearly evaluation cycle.
- D. If the doctor does not approve the officer’s participation in the Physical Fitness Program (FFP), he/she will have 90 days to be approved by a doctor and complete the row test.
- E. If a doctor does not approve the physical after 90 days, the officer will be required to use accrued leave and the provisions of the Disability Management Directive 2.12.9 will apply.

- F. Physical to enter Physical Fitness Program forms should be turned into Human Resources when completed.

III. TESTING

- A. Captains will have the responsibility of ensuring their personnel are tested during the first quarter of each calendar year.
- B. Only department rowing testers are approved to conduct testing.
- C. The rowing testers will report the results of each testing to the Physical Fitness Program Coordinator.

IV. FAILED ROWING TEST

- A. If an officer does not meet the PFS, the Chief of Police will immediately place the officer on a FIP.
- B. An officer may retake the PFS test at any point within one calendar year. The officer will be removed from the FIP once the officer successfully passes the PFS. An officer refusing to participate in the FIP will enter the disciplinary process.
- C. An officer who does not successfully pass the PFS after one year, and is not within ten percentage points of passing the test, must use accrued leave and will be referred to Human Resources and the provisions of Disability Management Directive 2.12.9 will apply.
- D. The Chief of Police, in consultation with the Human Resources Director, may extend an officer's FIP for one additional year if that officer is within ten percentage points of a passing score. The officer must then pass the PFS within the next year or will be required to use accrued leave, and the provisions of the Disability Management Directive 2.12.9 will apply.

V. INCENTIVE PROGRAM

- A. Gold Standard
 - 1. Officer achieves a percentage between 95 and 100.

2. Officer receives 12 fitness hours. These hours must be taken within one calendar year. Request for time-off must be submitted through a supervisor for approval. Fitness hours may be taken in conjunction with vacation or holiday time.

B. Silver Standard

1. Officer achieves a percentage between 86 and 94.
2. Officer receives 8 fitness hours. These hours must be taken within one calendar year. Request for time-off must be submitted through a supervisor for approval. Fitness hours may be taken in conjunction with vacation or holiday time.

C. Bronze Standard

1. Officer achieves a percentage between 80 and 85.
2. Officer receives 4 fitness hours. These hours must be taken within one calendar year. Request for time-off must be submitted through a supervisor for approval. Fitness hours may be taken in conjunction with vacation or holiday time.

- D. Standards do not carry over year-to-year. The incentive standard will be determined at the yearly testing cycle.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 3.1

SUBJECT: REPORT OF TRAINING
(Std. Ref. 3.08)

DATE OF ISSUE:
10/01/01

POLICY

In keeping with the Department's emphasis on training and education, it is important that each employee's training file is current. A complete training file will enhance decisions concerning career development.

PROCEDURE

I. TRAINING DOCUMENTATION

- A. Any employee receiving training from a source other than the Lewisville Police Academy will forward a copy of the diploma or certificate of completion to the Training Officer within 10 working days of receipt of the diploma or certificate.
- B. The Training Officer will ensure that a copy of any documentation, diploma, or certificate issued by the Lewisville Police Academy is placed in the employee's training file.
 - 1. The coordinator will ensure an EAN for certification/education pay is completed when documentation regarding TCOLE licensing or the award of a degree warrants such action.
- C. Any employee earning a degree from an accredited college or university will forward a certified copy of the transcript to the Training Officer.
- D. Each employee should review his training file at least once every 12 months to ensure his training and education record is current.
- E. The Training Coordinator shall use the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) to submit training rosters to TCOLE. TCLEDDS is considered the Department's primary filing system. The system will reflect an officer's official transcript and may be used for audits of required training. In addition to the electronic system, the Department will maintain a paper filing system in accordance with TCOLE regulations.
- F. The non-sworn employees that are required by an agency to be certified or training that is mandated by state law are Public Safety Dispatchers (TCOLE certification) and school crossing guards (Texas Transportation Code, Section 600.004).

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 3.2

SUBJECT: TRAINING FACILITY

**DATE OF ISSUE:
10/01/01**

POLICY

Police officers must be proficient in the use of firearms in order to protect themselves and the public. All training must be documented and under the control of a department firearms instructor to obtain optimum benefit of range use. This directive provides procedures for insuring optimum range use while minimizing liability.

PROCEDURE

I. RANGE SUPERVISION

- A. All training on the firing range will be under the direction of a firearms instructor. All other shooting will be under the direction of a safety officer.
- B. Off-duty use of the firing range or obstacle course by Lewisville Police Department police officers is permitted if two or more officers are present. One of the officers must act as a safety officer and will not fire their weapon or run the obstacle course. The role of safety officer may rotate between officers.
- C. No agency other than the Lewisville Police Department will use the range without approval of the Chief of Police.

II. FACILITY SAFETY

- A. Officers will fire only weapons approved by the department.
- B. Officers will follow all written safety instructions and all verbal orders issued by firearms instructors, the training officer, or safety officer.
- C. In addition to any other safety instructions issued by firearms instructors, the training officer or safety officer personnel will always obey the following safety rules:
 - 1. Consider all firearms to be loaded at all times.
 - 2. Keep the muzzle pointed away from any target you do not intend to shoot.

3. Keep your trigger finger out of the trigger guard except when coming on target just before firing.
 4. Be sure of your target and background.
 5. Ensure one portable radio tuned to the Lewisville 800 MHz radio system or other wireless communication device is within arms length of at least one person present.
 6. Use all of the following pieces of personal protective equipment (PPE) at all times while using the indoor range facility: eye protection and hearing protection.
- D. Observers are not authorized without permission of the Chief of Police. They will not fire or handle weapons without permission of the Chief of Police. They will sign a waiver of liability before permission is granted.
- E. Practical jokes and playful acts are prohibited.

III. OPEN RANGE

- A. The Firing Range is open and available to off-duty Lewisville Police Department police officers for shooting as long as at least two persons are present. The designated safety officer will ensure all shooters comply with all posted safety rules.
- B. Only department-approved firearms are authorized.
- C. The open range is for Lewisville Police Department officers only. Guests are not allowed without prior approval of the Chief of Police.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 3.3

SUBJECT: FIELD TRAINING PROGRAM

**DATE OF ISSUE:
10/01/01**

POLICY

The Department provides on the job training to newly employed police officers. A structured program provided by experienced and competent field training officers prepares the officers for successful job performance to provide service to the citizens of the community. The Field Training Program extends the academy classroom into the field to reconcile theory with practice.

PROCEDURE

I. REQUIREMENTS FOR SELECTION AS A FIELD TRAINING OFFICER (FTO)

- A. Two years of service as a patrol officer with the Lewisville Police Department; or two years of sworn police patrol experience with another agency and one year of service since the completion of field training with the Lewisville Police Department.
- B. In general, no letters of reprimand or suspensions in the past year. Discipline for serious infractions could result in permanent ineligibility. Each case will be evaluated individually.
- C. Successful completion of a selection process designed to evaluate motivation and competence.
- D. Demonstrates the knowledge and skills necessary for successful performance as a police officer.
- E. Demonstrates a professional demeanor conducive to being an effective instructor.
- F. Successful completion of the Field Training Officer certification course.

II. RESPONSIBILITIES OF FTO

- A. Instruct assigned trainees in the basics of police patrol through verbal presentation, actual demonstration and performance evaluation.
- B. Write daily observation reports (DORs) and provide daily performance evaluations to assigned trainees. This written evaluation shall be discussed daily with the trainee.

- C. Maintain accurate records in the Field Training Manual to reflect when the trainee has been instructed and/or performed a task. The Field Training Manual is to be used as a lesson plan to ensure each trainee is instructed in and exposed to numerous identifiable tasks associated with police work.
- D. Write end of phase reports and provide end of phase evaluations to assigned trainees.
- E. Ensure all field training is done safely and in compliance with department procedure.
- F. Identify trainees who may have demonstrated weaknesses or deficiencies requiring remedial or specialized training.
- G. Identify those trainees who cannot or will not successfully complete the field training program and recommend termination to the training supervisor.

III. RESPONSIBILITIES OF FIELD TRAINING SUPERVISOR

(The Patrol Bureau Commander will appoint a supervisor(s) to manage the program.)

- A. Schedule field training for trainees, and coordinate FTO's to teach Mini Academy classes as needed.
- B. Meet with FTO's quarterly to resolve problems and consider recommendations concerning the FTO program
- C. Meet with the FTO's and Trainees at the end of training phases to determine the status of the trainee in the FTO program. These meetings will determine the progression of the trainee in the next phase of training, or into remedial training.
- D. Examine DORs and end of phase reports to ensure that they are correctly written and accurately reflect trainee performance.
- E. Evaluate all reports at the end of the training cycle and recommend assignments to patrol duty or remedial training for trainees.
- F. Identify trainees who cannot or will not successfully complete the training cycle and recommend termination to the Patrol Bureau Commander.
- G. Forward each trainee's DORs, end of phase reports, and Field Training Manual to the Training Sergeant to be filed with the new officer's training documents.
- H. Coordinate in-service training for FTO's.

- I. Forward changes in the status of FTO's and trainees to the Police Administrative Assistant so a Personnel Action Form can be created.
- J. Recommend appropriate changes to the field training program to the Patrol Bureau Commander.
- K. Meet with all available FTO's in the fourth quarter of the calendar year, in odd-numbered years, to review the training program and the field training manual and recommend updates to the Patrol Bureau Commander as needed to accommodate revised statutes and policies.

IV. DESCRIPTION OF FIELD TRAINING PROGRAM

- A. The program consists of four phases: Phase I, Phase II, Phase III and Ghost Phase. Each training phase lasts approximately five (5) weeks. Ghost Phase lasts two (2) weeks.
- B. Trainees are assigned to a different FTO for each phase. The trainee then returns to their Phase I FTO for Ghost Phase, if possible. Scheduling sometimes precludes the Phase I FTO from evaluating the trainee in Ghost Phase.
- C. Every trainee should have the opportunity to work both day shift and night shift during the training period.
- D. The length of the training program can be reduced for a trainee that has experience as a police officer. This will be judged on a case-by-case basis. The trainee must still attend the Department's mini academy.
- E. After completion of the third phase, trainees enter the two-week Ghost Phase in which they are expected to perform basic patrol tasks without assistance from the FTO.
 - 1. Successful completion of the Field Training Program results in assignment to the Patrol Division.
 - 2. Unsuccessful performance during any Phase of training will result in assignment to formal remedial training or a recommendation for termination. The Chief of Police will make any decisions concerning termination of a trainee.

V. FORMAL REMEDIAL TRAINING

- A. An officer can be assigned to formal remedial training at any time during the field training program. The length of remedial training will be determined by the FTO Coordinator, not to exceed 120 hours. If the trainee accumulates a total of 120 hours of remedial training time, the trainee will be recommended for termination

if they are not able to meet field training standards. The Chief of Police will make any decisions concerning termination of a trainee.

- B. If a trainee enters formal remedial training during Phases I, II, or III, the trainee will return to the same point in that phase once the remedial training is completed. If a trainee enters remedial training during Ghost Phase, then that phase will be started over once the remedial training has been completed.
- C. FTO's should complete a Formal Remedial Training DOR to document the number of hours spent in remedial training.

VI. FIELD TRAINING OFFICER PAY

- A. Any officer selected to become an FTO will receive assignment pay in accordance with City of Lewisville Policy Statement 2.0, Section IV, Employee Performance Evaluation/Compensation Plan.
- B. All Field Training Officers will be authorized to wear the Field Training Officer loops on their epaulets (Gold and red stripes on green) in accordance with General Order 2.2, Uniform and Dress Code.

VII. REMOVAL OF FIELD TRAINING OFFICERS FROM THEIR ASSIGNMENT

(FTO's may be appointed and/or relieved of their assignment by the Chief of Police.)

- A. FTO's may be removed from the program for disciplinary issues or other serious infractions that will be evaluated on a case-by-case basis.
- B. Other circumstances for removal from the program include, but are not limited to the following:
 - 1. Performance below the stated qualifications for Field Training Officers
 - 2. Failure to adequately perform training, evaluation, and documentation
 - 3. Failure to maintain role model behavior
 - 4. Failure to properly supervise trainees

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 3.4

**SUBJECT: LESSON PLAN PREPARATION
AND PRESENTATION**

**DATE OF ISSUE:
03/12/01**

POLICY

The Lewisville Police Academy strives to provide quality training programs for Department employees. Documenting this training is an integral component of the academy's function and is mandated by the Texas Commission on Law Enforcement (TCOLE). The major component of this documentation is the course lesson plan. Before instructors can present a course, they must have a lesson plan. The lesson plan provides a guideline for the instructor to follow, a record of what was taught, and in some cases a format for adjunct instructors to use if called upon to teach the same subject. To ensure learning objectives are taught and that the training has been effective, instructors should consider using pre and post tests in order to evaluate the learning experience. The academy also strives to provide quality instructors who can facilitate learning through their teaching skills and experience.

PROCEDURE

I. PREPARING A LESSON PLAN

- A. Any employee tasked with preparing a lesson plan should contact the Training Coordinator to receive a copy of the approved format. Any training program taught through the Lewisville Police Academy must have a lesson plan that has been approved by the Training Coordinator.
- B. Components of Lesson Plan
 - 1. Lesson Plan Cover Page
 - a. **COURSE:** A Prescribed number of related instructional units dealing with the same main topic (i.e. Policy Update School, Basic Peace Officer Certification School).
 - b. **INSTRUCTIONAL UNIT:** A sub-section of the "Course" (i.e. Crime Scene Technology Update, Introduction to Penal Code).
 - c. **INSTRUCTOR(S):** The name of the instructor or team of instructors who will be teaching the topic.

- d. **LESSON TYPE:** The method of instruction that will be used to teach the class (i.e. lecture, demonstration, discussion, question and answer, etc.).
- e. **TIME ALLOTTED:** The length of the particular lesson.
- f. **STUDENT EQUIPMENT/MATERIALS:** Things the student will need to bring to class.
- g. **INSTRUCTOR EQUIPMENT/MATERIALS:** Things the instructor will need in order to teach (i.e. chalkboard, flip chart, overhead projector, overhead transparencies, dry erase board and markers, video tapes, television/monitor, VCR, etc.).
- h. **REFERENCES:** Sources of information used (i.e. books, articles, authors, etc.)
- i. **ADDITIONAL INSTRUCTORS:** Additional instructors who may teach the same topic. This is someone who could fill in if the primary instructor(s) suddenly became unavailable.
- j. **TARGET AUDIENCE:** The type of student for whom the course will be presented (i.e. new recruits, veteran officers, civilians, etc.).
- k. **PREREQUISITE EXPERIENCE OF STUDENTS:** An explanation of any prior requirements a student must have in order to attend the current course.
- l. **DATE PREPARED / BY:** The date the lesson plan was originally developed and by whom.
- m. **DATE REVISED / BY:** The date the lesson plan was revised and who revised it.
- n. **GOAL STATEMENT:** A brief explanation of the overall aim of the Instructional Unit.

2. Learning Objectives

Learning objectives describe specific performance the learners should be able to exhibit as a result of the training received. They are statements that describe specific steps required to reach the goal of a particular lesson

or course. Each objective must be precisely stated, clearly defined, observable and measurable. Learning objectives must include a description of the procedures needed to achieve predetermined levels of proficiency and should include any operational behavior that must be achieved to complete the training. A learning objective is an outcome of instruction; it is not a description of the instructional process. Reasons for learning objectives are:

- a. To provide a solid foundation for selection, content, and design of the lesson plan.
- b. To provide a set of guidelines for direction.
- c. To assist the instructor in evaluating whether or not the objectives have been achieved.
- d. To provide the student a means to organize his own efforts towards achieving the objectives.
- e. To give the instructor an overall view of what should be taught in the course.

3. Presentation

The “Presentation” portion of the lesson plan consists of several components and should be completed using the approved format (see attached):

- a. Motivating Statement – This is a brief introduction about the topic and why this training is important.
- b. Body – The actual lesson. This can be completed in outline form and details key points in the lesson. The area designated “*Instructor Notes*” can be used to include things to say about key points. It can also be used for special notations or examples. This area can also be used as a tool to tell the instructor when to use an instructional aid.
- c. Application – This is basically “take what you’ve learned and do it”. It might be planned questions that relate to the learning objectives. It could be demonstration, role-play, or practicing a skill you’ve learned.

- d. Review – A summation of the main points taught during the instructional unit. The main points can be reviewed:
 - 1. Throughout the instructional unit, or
 - 2. At the end of each objective, or
 - 3. At the end of each class hour, or
 - 4. At the end of the complete instructional unit.

- e. Evaluation – In order to determine if training has been effective and that all lesson objectives were taught, instructors should use tests as evaluation instruments. Evaluations can be in the form of a *written or performance test*. Either evaluation instrument should be designed to measure the student's knowledge of the lesson objectives. Whenever practical, an instructor should administer both pre and post tests. This not only evaluates the student's learning experience, but also evaluates the instructor's ability to teach the lesson objectives. Instructors should submit a copy of the tests as well as a test key with the lesson plan.

II. SUBMITTING A LESSON PLAN

- A. Completed lesson plans must be submitted to the Training Coordinator and approved prior to teaching the course. The Training Coordinator will:
 - 1. Ensure that the approved format has been followed.
 - 2. Verify that the test questions are consistent with the lesson objectives.
 - 3. File the approved lesson plan.
 - 4. Report training in accordance with TCOLE requirements.

- B. Lesson plans may be prepared using PowerPoint. When submitting a lesson plan using this form of media, instructors must turn in both the printed version and a hard disk containing the information.

III. INSTRUCTOR SELECTION

- A. The training coordinator will be responsible for appointing and supervising qualified instructors. Selection will be based on the following criteria:

1. Knowledge of subject material
 2. Experience in the area being taught
 3. Presentation skills
 4. Training credentials
 5. Credibility with target audience
 6. Availability
- B. Instructor appraisals are necessary for professional development. Student critique forms will be summarized and provided to instructors. In addition, the training coordinator may observe a class to ensure the lesson objectives are being taught and to monitor the instructor's presentation skills. Instructors may be videotaped to provide them with feedback of their performance.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 3.5

SUBJECT: SERGEANT FIELD TRAINING PROGRAM

**DATE OF ISSUE:
02/06/2020**

POLICY

The Department provides on the job training to newly promoted sergeants. A structured Field Training Program provided by experienced and competent Field Training Sergeants prepares new sergeants for successful job performance to provide service to the citizens of the community, and police officers in their charge.

PROCEDURE

I. REQUIREMENTS FOR FIELD TRAINING SERGEANT ASSIGNMENT

- A. At least two years of service as a patrol sergeant with Lewisville Police Department.
- B. Assigned to Patrol
- C. No formal discipline in the last year (excluding discipline for fleet accidents)

II. RESPONSIBILITIES OF THE FIELD TRAINING SERGEANT

- A. Provide training and instruction related to the basic duties and responsibilities of a police patrol sergeant.
- B. Document the progress through weekly entries in the sergeant trainee's performance log. Documentation will include successes as well as areas where improvement is required.
- C. Maintain accurate records in the Sergeant Field Training Manual by documenting the sergeant trainee's instruction and/or completion of required tasks. Field Training Sergeants will use the Sergeant Field Training Manual to ensure each trainee is trained on the duties and responsibilities of a patrol sergeant.
- D. Complete an end phase evaluation in the sergeant trainee's performance log identifying significant strengths and weaknesses and a summary of the overall performance of the sergeant trainee.
- E. Ensure all field training is done safely and in compliance with all policies and procedures.
- F. The Field Training Sergeant will work with the Watch Captain to determine when the sergeant trainee is prepared to work solo. The sergeant trainee should complete a minimum

of four weeks in training prior to working solo as the Watch Commander. The date will be documented in the sergeant trainee's performance log.

III. RESPONSIBILITIES OF THE WATCH CAPTAIN

- A. Evaluate documentation to ensure it accurately reflects the sergeant trainee's performance throughout the Field training Program.
- B. Monitor the sergeant trainee's progress throughout the program and provide a final report to the Chief of Police evaluating whether the sergeant trainee was able to successfully complete the Field Training Program.
- C. Forward all documentation to the Training Captain to be retained in the sergeant trainee's training file.
- D. The Watch Captain will work with the Field Training Sergeant to determine when the sergeant trainee is prepared to work solo. The sergeant trainee should complete a minimum of four weeks in training prior to working solo as the Watch Commander. The date will be documented in the sergeant trainee's performance log.

IV. DESCRIPTION OF THE SERGEANT FIELD TRAINING PROGRAM

- A. The program consists of three phases, Phase I, Phase II, and Ghost Phase. Phase I and II each last twelve weeks and the last phase, Ghost Phase, lasts two weeks.
- B. Sergeant trainees will be assigned to two different shift captains and Field Training Sergeants. During the initial three weeks of Phase I of the Field Training Program, sergeant trainees must work with their assigned Field Training Sergeant. After the initial three weeks, sergeant trainees may work independently in the field, but the Field Training Sergeant is required to document the sergeant trainee's progress in the field training manual weekly.
- C. Sergeant trainees will be scheduled to work both day and night shifts, when practical, during the training period.
- D. After completion of Phases I and II, the sergeant trainee will be assigned to the two-week Ghost Phase on the same shift as Phase II of training. During this phase the sergeant trainee will act as the watch commander and will be required to complete all watch commander duties without assistance from the watch captain or Field Training Sergeant. The sergeant trainee's performance during Ghost Phase shall be monitored by the Field Training Sergeant or the watch captain. The sergeant trainee may not work solo during the ghost phase.

- E. The Field Training Sergeant and the Watch Commander may recommend early release to Phase II no earlier than 8 weeks. The Field Training Sergeant and the Watch Commander may recommend early release from Phase II to Ghost Phase no earlier than 4 additional weeks. The Sergeant Trainee must be instructed in all tasks listed in the Sergeant Field Training Checklist prior to recommendation for early release to Ghost Phase.
- F. Successful completion of the Field Training Program results in assignment to the Patrol Division.
- G. Sergeant trainees who are unable to successfully complete the Field Training Program will be demoted to a police officer position, assigned to patrol and will not be eligible to test for Sergeant for three years.

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 4.1

SUBJECT: RESPONSE TO RESISTANCE
(Std. Ref. 3.02, 6.08 & 6.09)

DATE OF ISSUE:
10/01/01

POLICY

This Department recognizes and respects the value of each human life. Protection of individuals in a free society sometimes requires lawful use of force. Police officers and jail officers of this Department shall use force that is reasonably necessary to effectively bring an incident under control while protecting the lives of the officer or another.

PROCEDURE

I. DEFINITIONS

- A. **Deadly Force:** Force applied in any manner by any means that could be reasonably believed to cause death or serious bodily injury.
- B. **Reasonable Belief:** Facts or circumstances, which would cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.
- C. **Serious Bodily Injury:** A bodily injury that creates a substantial risk of death; causes serious permanent disfigurement; or results in long-term loss or impairment of the functioning of any body-member or organ.
- D. **Non-deadly Force:** Use of force that is not intended to cause serious bodily injury or death when used.
- E. **Less-lethal weapon:** Instruments of force which are not designed to cause serious bodily injury or death when properly used.
- F. **Conducted Energy Device (Taser):** A weapon primarily designed to disrupt a subject's central nervous system by means of deploying electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses. The device fires probes or a projectile with barbed electrodes. The probes/electrodes are connected to the Tasers battery by a high voltage insulated wire. Electrical pulses are sent along the wires to the probes/electrodes with the intended effect being to temporarily incapacitate the targeted subject. The department's choice of Taser is a device manufactured by Taser International.

- G. **De-escalation:** Acting or communicating verbally or non-verbally during a potential force encounter to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion and tactical repositioning.
- H. **Chokehold/Stranglehold:** A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.
- I. **Carotid Artery Neck Restraint:** Known also as Vascular Neck Restraint, this physical maneuver restricts blood-flow to the brain, which causes the subject to be rendered unconscious.

II. DE-ESCALATION

- A. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training when possible and appropriate before resorting to force to reduce the need for force.
- B. When possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

III. USE OF DEADLY FORCE

- A. Only police officers are authorized to carry and use firearms while performing duties for the Lewisville Police Department.
- B. All employees must always comply with local, state, and federal laws relating to firearms.
- C. Police officers are authorized to display or discharge firearms to:
 - 1. Protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily injury.
 - 2. Participate in range training.
 - 3. Participate in a lawful sporting activity.

4. Fulfill requirements of military service of the United States or the state National Guard.
5. Destroy an animal that represents an imminent threat to public safety when there is no other reasonable option to prevent the threat.
6. Destroy an animal as a humanitarian measure when there are no other reasonable ways to alleviate the animal's suffering.

D. Any police officer exhibiting a firearm will comply with these restrictions:

1. Except for maintenance or during training, police officers will not draw or exhibit firearms unless circumstances create reason to believe that it may be necessary to use the weapons in accordance with this directive.
2. Warning shots are prohibited.
3. Generally, police officers shall not fire weapons at or from a moving vehicle. However, officers may shoot at a moving vehicle to stop a terrorist or mass casualty type event when the vehicle is being utilized as a deadly weapon.
4. Police officers will not discharge firearms when it appears likely that an innocent person may be injured.

IV. USE OF NON-DEADLY FORCE

- A. In situations that do not warrant the use of deadly force, police officers and detention officers must assess the incident to determine which non-deadly force technique or weapon will bring the incident under control in a safe manner.
- B. Police officers are authorized to use reasonable non-deadly force techniques:
 1. To protect themselves or another from physical harm;
 2. To restrain or subdue a person resisting arrest or search;
 3. To bring an unlawful situation safely and effectively under control; or
 4. To prevent a situation from escalating to an incident involving an imminent threat of death or serious bodily injury.
- C. Detention officers are authorized to use reasonable non-deadly force techniques in

dealing with persons already under arrest by a police officer within Police Department property:

1. To protect themselves or another from physical harm;
 2. To restrain or subdue a resisting prisoner; or
 3. To bring an unlawful situation in the jail safely and effectively under control.
- D. Personnel restraining violently resisting prisoners must be aware of the suffocation risk posed by handcuffing a prisoner's hands to his legs behind his back ("hog-tying") and then laying the prisoner face down on his stomach (positional asphyxia).
1. The procedure described above is not permitted.
 2. Anytime a prisoner is required to lay face down on his stomach, the arresting officer must constantly observe the prisoner for respiratory distress and react accordingly to ensure the prisoner can breathe.
 3. Observe violent prisoners who are intoxicated or obese very carefully for signs of respiratory or cardiovascular distress. React accordingly when there are signs of a medical emergency. Give first aid or CPR and summon EMS.
- E. Certain "less-lethal" weapons are necessary tools that help insure the safety of citizens and officers. Less-lethal weapons may be used to prevent an incident from escalating to one in which deadly force is immediately necessary.
- F. Less-lethal weapons may be used when:
1. Verbal dialogue has failed to bring about a subject's compliance; and
 2. The subject has signaled his intention to **actively** resist the officer's efforts to make the arrest/detention.

V. RESTRICTIONS

- A. Only less-lethal weapons authorized by the department are permitted.
- B. Each less-lethal weapon must be specifically approved by the training coordinator who will make a notation concerning such approval in the officer's training file.
- C. An officer will not carry a less-lethal weapon unless he has passed a required proficiency course. The course must be approved by the training coordinator.

Successful completion of the course must be documented in the officer's training file.

- D. Tactical chemical agents may be used only by a member of the tactical team specifically trained in the use of chemical agents or when authorized by the officer in command of a critical incident.
- E. Impact rounds may be used only by officers trained in their use. They may be used only in situations which could reasonably be expected to evolve into an incident requiring the use of deadly force. Impact rounds shall target specific individuals and shall not be fired into a crowd where they could strike an unintended target.
- F. Knives may be used only as cutting tools. They are not to be used as weapons unless deadly force is authorized as described in this order. Even if deadly force is authorized, a knife may not be used unless it is impractical to use a department approved firearm.
- G. Chokeholds/strangleholds and carotid artery neck restraints are prohibited unless deadly force is authorized. Any officer using such force will cease immediately upon control of the subject (normally when the person has been handcuffed or no longer actively resisting) and begin the application of an appropriate medical response if needed.
- H. Uniformed officers shall carry OC spray, or an expandable baton, in addition to a Taser weapon on their duty belt or on their load-bearing vests. Administrative officers are exempt from this requirement.

VI. **OLEORESIN CAPSICUM (OC) RESTRAINT SPRAY**

A. Authorization

- 1. All officers are required to complete the prescribed course of instruction on the use of OC.
- 2. Uniformed officers shall carry only departmentally issued OC canisters in approved holsters on the duty belt. Non-uniformed officers may carry OC in alternative devices as approved by the department.

B. Usage Criteria

- 1. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be

prepared to employ other means to control the suspect - to include, if necessary, other force options consistent with department policy - if he does not respond sufficiently to the spray and cannot otherwise be subdued.

2. Immediately after spraying a suspect, officers shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating, and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
3. Suspects that have been sprayed shall be placed on active watch for indications of medical problems and shall not be left alone until the individual no longer exhibits symptoms of chemical exposure.
4. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
5. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall assist him by allowing him to rinse and dry the exposed area as soon as practical.
6. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. All such incidents shall be reported as soon as possible to the officer's immediate supervisor and shall be detailed in the use of force report.

C. Replacement

1. All OC spray devices shall be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable or empty devices shall be issued by the department.
2. Replacements of OC spray canisters shall occur when it is determined the unit is less than half full.
3. OC spray canisters should be inspected monthly by first-line supervisors and those results reported to their bureau captain. Canisters expired per the manufacturer's label on the canister shall be replaced with a new canister.
4. Unexplained depletion of OC canisters shall require an investigation and written report by the officer's supervisor to the division commander.

VII. CONDUCTED ENERGY WEAPON

A. Training and Carry

1. Every 12 months, each Taser operator must demonstrate proficiency with the device.
2. Every two years, Taser instructor(s) shall undergo recertification.
3. All officers issued Tasers must carry them either on their duty belts in support-hand draw configuration or on their load-bearing vests in a support-hand, cross-draw configuration. Tasers must be carried in an approved holster in addition to OC spray or an expandable baton.

B. Usage Criteria

1. Tasers send out short duration, high-voltage electrical waves that overpower the normal electrical signals within the nerve fibers resulting in loss of muscle control and uncontrollable contractions of muscle tissue. Tasers affects both the sensory and motor nervous systems. Subjects can fall immediately to the ground and cause secondary injuries.
2. Tasers are not intended for use on any subject where severe injury would result in a fall from significant heights or into a hazardous environment unless deadly force is the only other option. When used in or near any body of water, the ability to rescue the subject should be taken into consideration.
3. An officer may use deadly force to protect himself from the use or threatened use of a Taser when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.

C. Usage Procedure

1. Officers shall draw and discharge Tasers with their support-hand. Officers may use their dominant hand for support while discharging.
2. Tasers shall not be used on any suspect that is covered or doused with any type of flammable material.
3. Tasers shall not be used in enclosed structures where explosive or combustible vapors or materials are present.

4. Tasers will not be aimed at the head or throat area of the suspect unless the degree of injury is justified.
5. Tasers should not be used on obviously pregnant females unless there are compelling reasons the officer can articulate that the use is objectively reasonable.
6. Tasers should not be deployed from or at a moving vehicle or when a subject is operating a motor vehicle unless there are compelling reasons the officer can articulate that the use is objectively reasonable.
7. At no time shall a Taser be used for the purpose of punishment or as an interrogative device.
8. No officer shall playfully, maliciously, or intentionally misuse a Taser.
9. Tasers are not intended to be used on handcuffed individuals except when faced with continued violent resistance.
10. Unless there are compelling reasons that can be clearly articulated involving the threat of serious bodily injury or death, Tasers shall not be used when the subject is extremely young or old, or is physically disabled.
11. Drive stun is where contact is made with a subject without the use of a cartridge. This method has proven to not be very reliable in subduing a subject and should only be used on subjects actively resisting, when the officer can articulate the necessity of the drive stun to control the suspect.
12. Officers should maintain a safe distance from the suspect, between four and 21 feet.
 - a. Additional cycles may be used if the initial cycle proves ineffective or the suspect becomes violent once more.
 - b. Officers should move quickly to handcuff the subject, so that repeated cycles are not necessary.
 - c. Officers should not use more than three cycles, except when faced with continued violent resistance and officer(s) are unable to control the subject.

13. If a Taser is used and a cartridge is dispensed, the supervisor shall replace the spent cartridge with another one from the armory. The supervisor shall notify the Taser training coordinator that a cartridge has been dispensed.

D. Effects of Tasers and Officer Response

1. A person that has been restrained by the use of a Taser will be examined by paramedics at the scene to determine if the suspect should be transported to a hospital.
2. Taser probes that become embedded in the skin of the subject may be removed by the officer. The following steps should be used if an officer is removing probes in the field or jail:
 - a. The officer shall remove the cartridge from the Taser and put on medical latex gloves.
 - b. The officer shall advise the subject to remain still. The officer will use a hand to make the clothing and skin taut at the impact sites.
 - c. Using their other hand, the officer will quickly pull the probe out of the clothing/skin.
 - d. Officers will clean the impact site(s) with an alcohol wipe and allow the skin to dry before placing band-aides over the impact sites.
 - e. The probes should be treated as a biohazard and disposed of in a sharps container located on the ambulance or in the jail.
3. Officers should provide assurance to subjects who have had a Taser used on them that the effects are temporary and encourage them to relax.
4. Photographs will be taken of the probe impact sites and other injuries. Medical treatment should not be delayed for the purposes of taking photographs.
5. Subjects that a Taser has been used on shall be placed on active watch for indications of medical problems. The transporting officer is responsible for notifying jail staff.
6. Once a subject is incapacitated or restrained, use of the Taser is no longer justified. Tasers should not be used to gain compliance with a subject who is not actively resisting or being violent (i.e. attempting to move the subject

into optimum handcuffing position by giving Taser bursts.)

VIII. EXPANDABLE BATON

- A. These batons are approved for carry and must be provided by the officer.
- B. Uniformed officers shall carry an expandable baton, or OC spray, in addition to their Taser. If an expandable baton is carried, it must be carried in an approved holder.

IX. BREAKING VEHICLE WINDOWS TO EFFECT AN ARREST

- A. When a person subject to arrest refuses to roll down their window or exit their vehicle, immediately call for a back-up Code 3.
- B. Continue to attempt to de-escalate the situation with verbal dialogue. Officer should notify the occupant that they are under arrest if they do not comply.
- C. Monitor the actions of the vehicle occupant(s) and your surroundings until a second unit arrives.
 - 1. Officers should be prepared to deploy lethal force, if necessary.
 - 2. If the occupant is making furtive movements, the officer may:
 - a. Have lethal force at the low-ready, or
 - b. Pointed at the occupant if lethal force is authorized
- D. The secondary officer should go to the same side of the vehicle as the primary officer.
- E. One officer will cover the occupant(s) of the vehicle, while the other prepares to force entry.
- F. If entry is still refused after a final warning, the designated officer will utilize a flashlight, window punch, baton, or other tool that will likely break a window to make entry into the vehicle.
- G. Officers should strike the window in a corner. Window strikes may continue as long as the person is not cooperating, or until the glass is broken.

- H. If damage is done to the window or vehicle, a “Citizens Property Damage” report should be completed through the Blue Team system. The Safety Review Committee will review all forced entries.

X. PROTESTS, DEMONSTRATIONS AND RIOTS

- A. Prior to the event, the department will attempt to contact protest organizers to discuss expectations and limitations.
- B. Officers are prohibited from using excessive force against any individuals engaged in non-violent civil rights demonstrations.
- C. Officers will enforce all applicable state and local laws against physically barring entrance to or exit from a facility or location, which is the subject of a non-violent civil rights demonstration or protest.
- D. Officer shall not deploy tear gas on protestors/demonstrators without the approval of the Chief of Police or his designee.
- E. Officers in riot gear will only be deployed to the scene when there is an indication that violence or property damage may occur.

XI. TRAINING AND QUALIFICATIONS

- A. Firearms
 - 1. While on duty, police officers shall carry only weapons and ammunition authorized by General Order 4.3, Firearms, and registered with the Department.
 - 2. While off-duty, police officers shall carry only handguns and ammunition authorized and registered with the Department if those weapons are being carried for use in emergency law enforcement situations. Otherwise, police officers must comply with applicable state and federal laws regulating carrying and using firearms.
 - 3. All employees other than police officers must comply with state and federal laws regulating firearms at all times as well as City of Lewisville Administrative Policy (2.20.2, Workplace Violence).
 - 4. Authorized weapons are those with which the police officer has received

Department training on proper and safe use and has demonstrated proficiency in accordance with General Order 4.3, "Firearms." They must be registered with the Department and comply with Department specifications as defined in General Order 4.3, "Firearms."

5. The Department will schedule regular training and at minimum, annual qualification sessions for duty, back-up, off-duty, and specialized firearms. The qualification sessions will be graded on a pass-fail basis and conducted on a job-related course developed by the training section and will include a discussion on the use of deadly force and the use of any firearm used in the course of law enforcement duties.
 - a. Police officers who fail to receive a passing score will be immediately re-assigned to the training section for remedial training and subsequent qualification.
 - b. Police officers will not carry any weapon with which they have not qualified during the most recent qualification session.
6. If at any time a supervisor has reasonable cause to believe an officer cannot safely or effectively handle a firearm, the supervisor will require the officer to re-qualify with that firearm in accordance with General Order 4.3, "Firearms."

B. Other Weapons

1. A police officer is not permitted to use any weapon unless qualified in its proficient use as determined by training procedures.
2. The following weapons are authorized:
 - a. Department approved expandable baton (officers must train and qualify at least biannually.)
 - b. Department approved chemical agent (officers must train and qualify at least biannually.)
 - c. Department-issued impact rounds designed to be discharged by firearms (officers must train and qualify annually.)
 - d. Department-issued Taser (officers must train and qualify annually.)

XII. REPORTING RESPONSE TO RESISTANCE

- A. An employee will document the employee's response to resistance as in a manner prescribed by the chief of police whenever the employee:
 - 1. Discharges a firearm outside of the firing range when on duty or in a situation other than a lawful sporting activity or military service while off-duty;
 - 2. Takes an action that results in or is alleged to have resulted in any injury to a person other than a Lewisville Police or Detention Officer; alleged injuries due to handcuffing a suspect shall only be documented in the officer's case report – an RTR report related to handcuffing is only required when visible injuries are present (red marks from handcuffing are not considered visible injuries);
 - 3. Applies force using a non-lethal weapon; or
 - 4. Uses a chokehold/stranglehold or carotid artery neck restraint.
- B. The employee's supervisor will review response to resistance incidents and forward to command staff.
- C. A safety review committee will review each report of response to resistance and document the disposition of the review in a report to the chief of police.

XIII. DEPARTMENT RESPONSE

- A. Deadly Force and Fatality Incidents
 - 1. If an employee's use of force causes the death of a person or is involved in a traffic accident that intentionally or accidentally results in the serious injury or death of a person, the employee will be placed on administrative leave until the chief of police directs him to return to duty. The employee must remain available and cooperate with the Department's internal affairs investigation.
 - 2. The Department will conduct an administrative and a criminal investigation.
 - a. The administrative investigation will be done by the Internal Affairs Unit supplemented by personnel assigned by the chief of police.
 - b. The criminal investigation will be done by CIS or by persons

appointed by the chief of police.

3. An employee who has used force which causes the death of another will not be returned to duty until a mental health professional determines that the employee is fit for duty.

B. Administrative Review of Response to Resistance

1. The chief of police will designate a method of review for all reported responses to resistance to determine whether:
 - a. The relevant policy was clearly understandable and effective to cover the situation;
 - b. Department training is currently adequate; and
 - c. Department rules, policy, or procedure were violated.
 - d. De-escalation was possible and, if so, whether the techniques used by the involved officer(s) were sufficient or insufficient.
2. All findings of policy violations or training inadequacies shall be reported to the chief of police for appropriate action.
3. All response to resistance reports and any subsequent IA investigations will be maintained by the office of the chief of police.
4. The chief of police and command staff will review all response to resistance incidents to ascertain training and policy needs.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.2

SUBJECT: PRISONER TRANSPORT

**DATE OF ISSUE:
03/31/99**

POLICY

Transporting prisoners involve a significant risk to both suspect and officer. This order establishes guidelines to ensure the safety of all persons involved in prisoner transport.

I. UNLAWFUL TREATMENT OF PRISONER

A peace officer or jailer commits a felony when:

- A. He intentionally subjects a person in his custody to bodily injury knowing his conduct is unlawful.
- B. He willfully denies or impedes a person in his custody in the exercise or enjoyment of any right, privilege, or immunity knowing his conduct is unlawful.
- C. He engages in sexual intercourse or deviant sexual intercourse with an individual in custody.

II. PRISONER IDENTIFICATION

Communications operators and transport officers processing requests from other agencies for prisoner transfers to the Lewisville jail will carefully compare all available identification information to ensure the prisoner to be transported is the same person named in the Lewisville warrant.

III. PRISONER SECURITY

A. **Search of Prisoners**

- 1. The arresting officer will search any prisoner for weapons and contraband before placing him in a police vehicle.
 - a. The search shall be as thorough as possible considering circumstances.
 - b. Officers of the opposite sex from the prisoner will avoid physical contact that could lead to accusations of sexual impropriety.
- 2. Anytime an officer receives a prisoner for transport; he will search the

prisoner.

B. Prisoner Restraint

1. All Prisoners and juvenile detainees will be restrained by seat belts when transported in a vehicle unless the process of restraining a combative prisoner presents an unacceptable risk to the safety of arresting officers. Under normal circumstances, all adult prisoners will be handcuffed. The arresting officer, with the approval of a supervisor, may use discretion and not handcuff a prisoner if the officer feels it is inappropriate due to physical disability, special needs, or old age. Officers should use discretion with juveniles. Any juvenile who poses a risk of violence or escape will be handcuffed.
2. Never handcuff a prisoner to any part of a vehicle.

C. Use of Vehicles

1. Vehicles will be examined at the beginning of each shift to ensure that no contraband or potential weapon is present.
2. Vehicles used to transport prisoners shall be searched immediately before and after each prisoner is transported in the vehicle to ensure that no contraband or potential weapon is present.
3. Whenever possible, use vehicles with the window controls and door handles disabled.
4. Transport officers will observe prisoners at all times. A single officer transporting a prisoner behind a safety barrier will comply with this requirement by making periodic inspections through the rear-view mirror and using the mobile video recorder, if so equipped.
5. If no mobile video recording equipment is available, officers will radio beginning mileage and destination when beginning prisoner transport. Officers will radio ending mileage on arrival. If mobile video equipment is available, recording mileage is not required.
6. Use of Safety Barriers:
 - a. Whenever possible, a vehicle with a safety barrier between the driver and passengers will be used. The officer will place prisoners in the back seat behind the barrier.

- b. If the vehicle has no safety barrier, the officer will place the prisoner in the front seat. He will not transport any prisoner in the back seat unless there is another officer in the back seat with the prisoner. He will transport only one prisoner in the front seat.

NOTE: An officer shall ask for assistance if he feels that transporting one or more prisoners is unsafe.

7. Officers transporting prisoners will not stop to respond to a law enforcement situation unless the situation presents a clear and serious risk to third parties.
8. Prisoners will not be allowed to communicate with anyone except police or detention officers during transport.

D. High-Risk and Suicide Risk Prisoners

1. Definitions:
 - a. High-risk prisoners are those who have indicated by their actions or words that they might try escape or assault. They are also those who indicate by their behavior, condition, or words that they have a medical condition that could be life-threatening.
 - b. Suicide risk prisoners are those who have indicated by their actions or words that they might try to kill or seriously injure themselves.
2. Communications operators receiving requests from other agencies for prisoner transfers will ask that agency if the prisoner is a possible suicide, medical, assault, or escape risk. If the prisoner is determined to be a high-risk or suicide risk, two officers will be sent to transport the prisoner.
3. Before transporting a prisoner, the transport officer will use every reasonable means to identify individuals who are suicide or high-risk prisoners. Such means include, but are not limited to:
 - a. Reviewing suicide and medical screening forms which may have been completed by personnel at the point of embarkation.
 - b. Asking arresting officers at the point of embarkation if the prisoner has said anything or behaved in a manner that would indicate a high risk or suicide risk individual.

- c. Reviewing the events leading up to the arrest with available officers and witnesses.
 - d. Observing the behavior and listening to the words of the prisoner for indications of assault, escape, suicide, or medical conditions.
 - e. Checking the prisoner for "medic-alert" bracelets, necklaces, or other identification.
 - f. Talking with the prisoner about his or her health, attitude, feelings, and criminal history. (Officers must remember that some serious medical problems can appear to be intoxication. Examples are diabetes, stroke, epilepsy, and mental illness.)
4. If the transport officer believes the prisoner is a high risk or suicide risk, the officer will:
- a. Request a second officer to ride in the transport vehicle.
 - b. Notify the supervisor if a second officer is not available and then transport only with the approval of the supervisor.
 - c. Use extreme caution.
 - d. Never leave the prisoner unattended in a vehicle.
- E. **Prisoners Under The Influence of Drugs or Alcohol**
1. **Persons intoxicated on alcohol or drugs, especially cocaine or heroin, may be susceptible to heart failure or respiratory distress. Be alert to the following symptoms which may be a warning of the potential for drug-induced heart attack or respiratory failure.**
 - a. Unprovoked violent behavior.
 - b. Illogical attacks against glass objects such as windows, display cases, and computer or television screens.
 - c. Unexplained nudity.
 - d. Paranoia.
 - e. Unreasonable sweating.

f. Incoherent language (not in touch with reality).

2. When a prisoner exhibits these symptoms,

a. Notify the supervisor and transport the prisoner to the nearest emergency medical facility for drug overdose evaluation prior to transportation to the jail.

b. Do not handcuff the prisoner's hands behind his back with the hands secured to his ankles.

c. Do not permit the prisoner to lie on his left side or face down.

d. Be especially observant for the cessation of breathing or cardiac arrest. (Obese people are at special risk).

e. Apply first aid techniques commensurate with your training if the prisoner's breathing or heart stops. Immediately request LFD Medics.

F. Prisoners with medical conditions

1. An officer who has transported a prisoner to a medical facility will continuously observe the prisoner to the extent it does not interfere with medical treatment.

2. If a prisoner is injured or becomes sick to the extent medical treatment is required, the arresting officer will render aid, transport the prisoner directly to the nearest emergency medical facility, or call an LFD ambulance as appropriate.

a. If the prisoner is admitted to the medical facility, the patrol supervisor will arrange for security until the prisoner is released.

b. If the charges pending against a prisoner who is admitted are minor, the patrol supervisor may arrange to file charges "at large."

3. Disabled prisoners

a. If possible, non-ambulatory prisoners will be transported in a Department vehicle.

b. Disabled, injured, or sick prisoners can present the same danger and

possibility of escape as other prisoners. Restrain them in the same manner as other prisoners.

- c. Do not transport individuals on life support systems or oxygen equipment in Department vehicles.
- d. Mentally disturbed prisoners pose a substantial threat to themselves and officers:
 - i. Restraints may be necessary for any violent prisoners. Make a notation concerning their use in the arrest report and the Jail module.
 - ii. Two officers will always transport mentally disturbed prisoners.

G. On arrival at the destination, transport officers will:

- 1. Secure firearms in a locked container prior to entering the detention area.
- 2. Remove restraining devices after the prisoner is in a secure area and when the receiving officer and transport officer are in agreement that it is safe to do so.
- 3. Deliver copies of warrants and booking sheets which are required by the receiving agency.

IV. ESCAPE

A. If a prisoner escapes, the transporting officer will:

- 1. Request medical assistance if required,
- 2. Provide a complete description of the prisoner,
- 3. Give the last known direction in which the prisoner fled,
- 4. Give the location of the escape,
- 5. Use all reasonable means to recapture the prisoner, and
- 6. File an offense report.

B. Communications will:

1. Dispatch back-up units and any other requested aid.
2. Notify the proper agency if the escape occurs in another jurisdiction.
3. Send an area wide Teletype message with the escapee's description.
4. Notify the watch commander.

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 4.3

SUBJECT: FIREARMS
(Std. Ref. 3.03, 6.04 & 6.05)

DATE OF ISSUE:
10/01/01

POLICY

Firearms are tools necessary to ensure the safety of the community and police officers. Misuse or careless use of firearms is extremely hazardous. The Department strives to ensure that only reliable and effective weapons are used and carried in the safest manner possible.

PROCEDURE

I. FIREARMS QUALIFICATION

- A. Annually, officers will qualify with all firearms carried on-duty and with all firearms carried off-duty for emergency law enforcement purposes. The Training Unit will conduct qualification.
1. The annual qualification course is in accordance with TCOLE requirements so that successful completion demonstrates proficiency in job-related situations.
 2. The annual qualification will include limited instruction on the safe usage of the involved firearm and a limited safety inspection of the firearm to ensure proper functioning.
 3. Annual qualification is on a pass or fail basis. A police officer will not be considered proficient or qualified if:
 - a. A passing score is not achieved;
 - b. An inability to load or reload firearm is demonstrated;
 - c. An inability to clear stoppages or jams that occur in firearm;
 - d. A lack of proficiency in the care and cleaning of weapon; or
 - e. Firearm does not pass a safety inspection.

- B. During qualification, the police officer will fire ammunition of the brand, caliber, and weight which he will carry in his firearm. The number of duty rounds fired will conform to TCOLE rules (at a minimum).
1. After annual qualification, the Department will issue each officer 50 rounds of Department-approved ammunition. Each officer must return the same 50 rounds at the next year's qualification less any rounds fired in the line of duty.
 2. Officers will only load Department-issued ammunition in their primary service weapon during qualifications.
 3. The police officer may not change the brand, caliber, or weight of ammunition carried in off-duty or back-up weapons until he re-qualifies or successfully completes an ammunition change proficiency course.
 4. The instructor will register all qualification ammunition with the Department.
- C. At any one qualification, a police officer may qualify with up to three handguns (primary service weapon, back-up weapon and/or an off-duty weapon).
1. Each officer must qualify with the Department-issued service weapon or a personally owned primary service weapon as authorized in section II of this order. The Chief of Police must approve any variance on the weapon.
 2. The Chief of Police, based upon Department needs, can authorize an officer to qualify with a second primary service weapon.
 3. The primary service weapon is authorized for carrying off-duty, and that practice is recommended.
 4. All weapons carried on-duty or off-duty for emergency law enforcement purposes must be registered with the Department.
- D. Qualifications will be held:
1. When scheduled by the Training Unit.
 2. To re-qualify officers who are not believed to be proficient. Re-qualification in this situation must be based on reasonable cause documented by a supervisor.

3. The Training Unit will schedule range time annually for the purpose of allowing officers to shoot for the Marksmanship Award. This course of fire may be held in conjunction with qualification and the department issue handgun or personally owned primary service weapon as authorized by this order must be used with department ammunition.
- E. The qualification course for off-duty firearms will require the same level of proficiency as the one for service weapons.
- F. **Failure to Qualify with Primary Service Weapon**
1. Officers who do not qualify with their primary service weapon during the annual qualifications will immediately be removed from all “enforcement” duties.
 2. The Training captain will provide the officer with up to 40 hours of remedial firearms training.
 3. The officer may attempt to qualify anytime during the remedial firearms training, but must successfully qualify within the 40 hours of remedial training.
 4. An officer who does not successfully qualify during remedial firearms training will be placed on Administrative Leave with Pay. Due to firearms proficiency being a requirement for a police officer, the Chief of Police will serve the officer with Notice of Intent to Terminate.

II. AUTHORIZED WEAPONS

A. Handguns

1. Officers must carry the Department-issued service weapon or personally owned primary service weapon as authorized by this order.
 - a. The Department-issued service weapon is the Glock 17 semi-automatic handgun.
 - b. An officer may provide a personally owned primary service weapon as long as it is either a .40 caliber or 9 mm semi-automatic and authorized by the Chief of Police or his designee. Once a model is approved for use, it will be listed on an Approved Personal Purchase Log. The log will be maintained by the Chief’s Administrative Secretary. Personally owned primary service weapons may be

colored black, silver or a combination of black and silver, and the officer shall provide a holster and magazine carrier as described in III.C.

2. Officers may carry handguns listed in this directive for emergency law enforcement use off-duty or on-duty as a back-up weapon.
 - a. Officers are permitted to carry only one backup weapon while on duty. Officers may not carry more than two handguns while on duty.
 - b. Authorized Off-Duty Handguns
 - (1) Department issued handguns.
 - (2) Semi-automatic pistol in .32 caliber, .380 caliber, 9mm, .357 auto, .40 caliber, or .45 caliber approved by the Chief of Police.
 - (3) Double action revolvers in .38 caliber, .357 caliber, or .45 caliber long colt, or 9 mm approved by the Chief of Police.
 - c. Authorized Back-Up Handguns
 - (1) Semi-automatic pistol or double-action revolver of .22 caliber or greater provided the weapon passes an annual safety inspection conducted by a department firearms instructor or armorer, and the officer successfully demonstrates proficiency in the department's qualification course for back-up weapons.
 - d. Officers can only carry a specific off-duty or backup weapon if the manufacturer of said weapon is on the list of approved manufacturers.
 - e. The Chief of Police may authorize officers to carry specified and authorized backup or off-duty handguns as the duty weapon if the officers are assigned to primarily non-enforcement duties.
3. Handgun magazines shall be loaded with the maximum number of rounds that the magazine is manufactured to contain. Additionally, officers shall carry their handguns with one round in the chamber.

B. Shotguns/Rifles

1. Police officers may carry shotguns and rifles issued by the Department or a personally owned rifle or shotgun only if they have passed the applicable

annual Department qualification course. This annual qualification will include limited instruction on the safe usage of the involved firearm and a limited safety inspection of the firearm to ensure proper functioning.

2. Any police officer that has passed the applicable annual Department qualification course for a Department issued rifle, or a personally owned rifle may access one of the Department's emergency rifles. Emergency rifles are rifles that are mounted in locked gun safes at various locations in the building. These rifles are to be used when there is an emergency at the police department that would warrant the use of a long gun but the officer is unable to access the actual rifle with which they are qualified.
4. Personally owned rifles of the same brand, model, and caliber as the department issued rifle are approved. In addition, officers may provide a personally owned .223 caliber rifle based on the AR-15, which utilizes the same magazines as the Department issued rifle when approved by the Chief of Police or his designee. Once a model is approved for use, it will be listed on the Approved Personal Purchase Log. The Log will be maintained by the Chief's Administrative Secretary. Personally owned rifles must be colored black.
5. Personally owned shotguns of the same brand, model, and caliber as the department issued shotguns are approved. In addition, officers may provide a personally owned 12 gauge semi-automatic or pump-action shotgun when approved by the Chief of Police or his designee. Once a model is approved for use it will be listed on the Approved Personal Purchase Log. The log will be maintained by the Chief's Administrative Secretary. Personally owned shotguns must be black and the barrel cannot be longer than 21 inches. No pistol grip shotguns will be approved.
5. The weapon must be inspected annually by an armorer authorized by its manufacturer to perform service on the weapon or a department armorer with similar authority.
6. Each captain will ensure that shotguns and rifles assigned to their personnel are clean and operable.
7. An officer carrying a personally owned shotgun is responsible for storing the Department owned shotgun in the armory and for returning it to the vehicle rack at the end of their shift.
8. Shotguns shall be loaded with the maximum number of rounds in the tube that they manufactured to hold. A shell will not be carried in the chamber.

9. Rifle magazines will be loaded with the full number of rounds that they are manufactured to hold. A round will not be carried in the chamber.
10. The carrying of long guns is optional for police officers at the rank of Captain and above. If they opt not to carry long guns, no annual qualification is required.

C. Specialized Weapons

Specialized units such as the Tactical Unit may use task-specific weapons and ammunition that are approved by the Chief of Police. They must qualify annually with any specialized firearms. This annual qualification will include limited instruction on the safe usage of the involved firearm and a limited safety inspection of the firearm to ensure proper functioning. Examples of specialized weapons that are approved by the Chief of Police include:

1. Specially configured shotguns
2. Automatic rifles
3. Semi-automatic rifles
4. Chemical agents and launchers
5. Distraction devices

D. Ammunition

1. Only Department issued ammunition will be loaded into shotguns, rifles, and the primary service weapon. The Police Department maintains a list of approved ammunition for duty carry.
2. Ammunition in back-up/off-duty handguns carried for emergency law enforcement purposes will be the same make, caliber and weight registered at qualification. The following ammunition is not permitted in back-up or off-duty handguns:
 - a. Re-loaded ammunition;
 - b. Wadcutter or target ammunition;
 - c. Metal ball; or
 - d. "Armor Piercing"

III. CARRYING FIREARMS

- A. Police officers in uniform must wear an authorized sidearm except when working in an assigned administrative office.
- B. Police officers are not required to carry a firearm off-duty.
- C. Department-issued handguns must be carried in department issued, or department approved holsters on duty or in uniform. Holsters and magazine carriers for personally owned service weapons are provided by the officer. The holsters must provide a minimum of level II retention, the holster and magazine carrier must be the same finish as the issued duty gear and be approved by the Patrol Bureau Commander. Once a holster or carrier is approved for use, it will be listed on an Approved Personal Purchase Log. The Log will be maintained by the Chief's Administrative Secretary.
- D. Plain clothes officers may carry their handgun in a paddle holster if it meets certain criteria. The paddle holster must be of sturdy construction, and it must feature some locking mechanism that helps keep the holster securely affixed to the wearer's pants. Additionally, the holster must be equipped with a "thumb break" or another securing device that prevents the handgun from falling from the holster if the holster is turned upside down and deterring the removal of the handgun by anyone except the officer wearing the holster.
- E. Off-duty handguns must be carried in:
 - 1. A belt holster holding the handgun with the barrel in a basic vertical position with a "thumb break" or another securing device, preventing the handgun from falling from the holster if the holster is turned upside down and deterring the removal of the handgun by anyone except the officer wearing the holster.
 - 2. A shoulder holster worn between the chest and arm areas and secured or held in place by straps or mechanisms attached to the officer's body (and may also be attached to the belt) that holds a handgun with a "thumb break" or other securing device, preventing the handgun from falling from the holster if the holster is turned upside down and deterring the removal of the handgun by anyone except the officer wearing the holster.
 - 3. A paddle holster that meets the criteria set forth above in section III. D.
 - 4. Any other holster that is individually approved by the Chief of Police prior to use. Officers must successfully complete a standard Firearms Qualification Course with the holster before they can use the holster on-duty or off-duty.

- F. Back-up handguns shall be carried in a concealed manner so that potential assailants are not aware of their existence and the weapon does not come loose during a struggle. Examples of acceptable carrying methods include, but are not limited to, ankle holsters, inside a snapped pouch or carrying case, or strapped to the torso under the uniform shirt and/or vest.
- G. Firearms must be concealed by non-uniformed Lewisville police officers when:
 - 1. Attending public meetings (including City Council) when simply an attendee rather than a part of an official presentation or police contingent where the department recognition is expected or needed;
 - 2. Attending any court proceeding, other than municipal court; or
 - 3. Anytime a coat or concealment is needed to maintain a professional image or to protect an officer's safety or identity as a police officer.
- H. A coat or concealment must be available during duty hours in case it is needed to conceal a weapon or the officer's identity.
- I. If the weapon is uncovered, the badge must be worn on the belt as near the weapon as practical, and the City of Lewisville identification card must be clearly visible on the front of the officer so that there is no doubt that the officer is a Lewisville police officer.
- J. Officers may display uncovered weapons with blue jeans only on city approved days which allow dress-down attire or when the officer's assignment allows such attire.
- K. Off-duty officers must conceal their weapons at all times.
- L. Holsters with military style straps covering the handgun's grip are not permitted.
- M. Low, western style holsters are not permitted.
- N. Straps around the thigh to tie down the bottom of a holster is not permitted except for use by specialized units (such as tactical) when approved by the unit commander.
- O. Officers assigned to administrative positions wearing civilian clothes are not required to wear firearms; however, they must have an approved firearm available

and stored in accordance with Section IV, E., of this General Order (lock box, a locker, a locked desk, or a locked vehicle).

- P. Officers are prohibited from using flashlights that are attached to a firearm simply for purposes of illumination.

IV. SAFETY RULES

- A. All firearms must be clean and operable. They are subject to inspection by a supervisor at any time.
 - 1. Handguns returned to the Training Unit shall be cleaned and inspected by a department armorer before re-issue. The Training Unit is responsible for coordinating this process with department armorers.
 - 2. Administration will maintain a file of all limited technical inspection reports received from department armorers.
- B. No one will joke or play with firearms.
- C. No one will take a firearm into the jail except when the use of deadly force is justified by provisions of General Order 4.1, "Use of Force."
- D. While on City-owned property or on-duty, "dry-firing" or drawing a weapon from a holster is not permitted except when authorized by General Order 4.1, "Use of Force," in an authorized training session, in a weapons inspection, or for maintenance conducted by a firearms instructor or armorer.
- E. If a firearm is removed from a holster so that a police officer may enter the jail, take a break, or perform administrative duties, the officer must secure the firearm in a lock box, a locker, a locked desk, or a locked vehicle.
- F. Shotguns/Rifles must be secured in a Department mount or case when in a vehicle or stored in a locked closet or locker. Officers may secure department issued rifles in a case for transport to and from their home.
 - 1. Carry shotguns/rifles with an empty chamber.
 - 2. Unload all stored shotguns leaving the chamber open before entering the police building.
 - 3. Unload all rifles, remove magazine and insert chamber flag before entering the police building.

- G. Treat all firearms as if they are loaded at all times.
- H. Keep the muzzle pointed away from anything you do not intend to shoot.
- I. Keep your finger off the trigger and outside the trigger guard until you are ready to fire.
- J. Be sure of your target and background before you fire.
- K. Obey all safety rules posted at the firing range.

V. DISPOSAL OF CITY-OWNED FIREARMS

- A. Firearms may be traded to a vendor for a reduction in the cost of new firearms.
- B. Ownership may be transferred to another law enforcement agency once they are no longer useful by this department.
- C. All disposal of firearms shall be approved by the Chief of Police.
- D. No firearm shall be auctioned to the public.
- E. Firearms may be donated to a medical examiner's office for ballistic testing.

SUBJECT: ARREST AND PROBABLE CAUSE

DATE OF ISSUE:
10/01/01

POLICY

In order to protect the freedom of individual citizens, police officers must understand the relationship between the constitution, statutory law, and the authority to make an arrest or search. The policy of the Department is to ensure that all the fundamental rights guaranteed to citizens are protected.

PROCEDURE

I. PROBABLE CAUSE REQUIRED FOR ALL ARRESTS

Probable cause is necessary for an officer to make an arrest with or without a warrant. An officer making an arrest will record all the facts and circumstances that establish probable cause in the arrest report.

II. ARREST WITHOUT A WARRANT

An officer may arrest without a warrant under the following conditions:

- A. An offense occurs within the officer's presence or view;
- B. A magistrate verbally orders the arrest of an offender when the magistrate has personally seen a felony or breach of the peace. A breach of the peace is any of the offenses listed in Chapter 42 (Disorderly Conduct), Chapter 46 (Weapons) of the Texas Penal Code, or in Chapter 49 (Driving While Intoxicated) with the exception of 49.031, "Possession of an Alcoholic Beverage in a Vehicle."
- C. When a felony has been committed as authorized by Article 14.04 of the Code of Criminal Procedure.
- D. The officer has probable cause to believe there has been a violation of a protective order.
- E. The officer has probable cause to believe a person has committed an assault resulting in bodily injury and there is danger of further bodily injury.
- F. The officer has probable cause to believe a person has committed an assault resulting in bodily injury to a member of the person's family or household.

- G. To prevent the consequences of theft (Art. 18.16 CCP).
- H. The officer has probable cause to believe that a person has prevented or interfered with an individual's ability to place a telephone call in an emergency in which the primary purpose was to provide safety for individuals.
- I. A person makes a statement to a peace officer that would be admissible against the person under article 38.21 of the Texas Code of Criminal Procedure and establishes probable cause to believe that the person has committed a felony.

III. ARREST WITH A WARRANT

An officer will inspect any warrant before serving it to ensure that it meets the following requirements:

- A. It has been issued in the name of the State of Texas.
- B. It names or reasonably describes the person to be arrested.
- C. It states the offense that the person has committed and states that the offense is a violation of the law.
- D. It identifies the office of the magistrate who issued the warrant.
- E. It is signed by the magistrate.

IV. TEXAS STATUTORY WARNING

- A. If an officer anticipates taking a statement from a person in custody, the officer will advise the suspect of their rights as outlined in the Texas Code of Criminal Procedure Art. 38.22, "When Statements May Be Used."
- B. If the suspect arrested is under the age of 17, a magistrate will give the warning as directed in the Texas Family Code, Sec. 51.095, "Admissibility of a Statement of a Child."
- C. Whenever possible, the warning should be given in writing and the suspect should sign the warning form.
- D. If the suspect requests an attorney at any time during an interview, the officer will permit him to call one. Do not continue the interview until the attorney is present.

- E. If the suspect refuses to talk without an attorney present, the officer will end the interview. The officer may not reinitiate interrogation unless the lawyer is present or unless the suspect initiates further contact and unequivocally communicates the desire to proceed without counsel.

V. RELEASE ON CITATION

- A. Unless prohibited by law, officers will release adults committing Class C offenses by issuing them a citation.
- B. In extraordinary situations, officers may arrest instead of issuing a citation. Examples of extraordinary situations include:
 - 1. The suspect is using fictitious identity documents.
 - 2. The suspect does not have identification and the officer has reason to believe the suspect is deceptive about his identity.
 - 3. There is reason to believe the suspect will continue “assaultive” behavior or disorderly conduct if he is not arrested.
 - 4. The suspect has warrants for other offenses in addition to committing the offense in question.
 - 5. Failure to arrest would result in bodily injury to the suspect.

VI. PURPOSE OF ARREST

- A. The purpose of a custodial arrest is to ensure the accused appears at a subsequent trial to answer a charge of a violation of law. The charge is based on a complaint supported by a probable cause affidavit.
- B. An arrest is not a punitive action.
- C. An officer must never make an arrest based on the suspect’s attitude or disparaging remarks.
- D. An officer must never make an arrest based on the suspect’s race, religion, ethnicity, political beliefs, or sexual orientation.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.5

SUBJECT: CRITICAL INCIDENTS
(Std. Ref. 7.34, 8.01, 8.07 & 8.08)

DATE OF ISSUE:
01/15/95

POLICY

Hostage situations, snipers, and barricaded persons pose extreme hazards for the community. Critical incidents such as these require specialized response and unique resources. This order provides guidelines for managing critical incidents. The overall goal in managing critical incidents is to protect lives and property and restore peace.

PROCEDURE

I. INITIAL RESPONSE TO HOSTAGE/BARRICADED PERSON INCIDENTS

- A. First Responders should not park directly in front of the location.
- B. Locate and utilize cover from potential rifle/handgun fire.
- C. Obtain needed equipment from the squad car such as a rifle, shotgun, or shield.
- D. Evacuate Potential hostages/innocents.
 - 1. Any person that you can safely remove from the area should be evacuated immediately.
 - 2. When it is unsafe to evacuate, officers should advise citizens to stay low and seek cover in the area of their home farthest away from the incident location until it is safe to relocate.
 - 3. When practical, establish a location out of the weather for evacuees.
- E. Responding officers will establish an inner perimeter to isolate and contain the threat. The inner perimeter will be maintained by first responding officers until relieved by SWAT personnel.
- F. As sufficient officers arrive on scene or as officers are relieved from the inner perimeter by SWAT, officers will set up an outer perimeter to keep bystanders, vehicles, and pedestrians out of danger.

G. The responding supervisor will select a staging area to be used as the command post. The command post will be set up in an area near the incident but with sufficient distance and cover to protect the command post from the threat.

H. Responding officers should gather intelligence such as but not limited to:

1. Identify the threat
2. Persons involved
3. Their relationship
4. Descriptions
5. Telephone numbers, including house land-line, and a cell number
6. Names of all residents of the home (and if known to be present)
7. The presence of alcohol or drug use by persons involved
8. Mental state/suicide
9. Known weapons or fighting skills
10. Presence of threatening animals

I. Witnesses should be sequestered, when possible, in order to speak with negotiators or detectives as they arrive. Ideally, they will be kept near the command post.

J. The first officers on scene should radio to other responding units where they can safely park to protect them from the threat and to maintain a clear path from the staging area to target structure should it be necessary to remove and transport injured hostages, officers or suspect(s).

II. TACTICAL UNIT

The tactical unit will be composed of a SWAT Team and Negotiations Team. The Tactical Unit is commanded by a supervisor of at least captain rank appointed by the Chief of Police.

A. SWAT Team

1. Commanded by a supervisor of at least sergeant rank appointed by the Tactical Unit Commander and approved by the Chief of Police.
2. Composed of officers approved by the Chief of Police
3. The Team's responsibilities are:
 - a. Prevent injury or loss of life in critical incidents.
 - b. Execute warrants in situations where armed resistance is expected.

4. Applicants for the SWAT Team must have:
 - a. Control in high stress situations.
 - b. Ability to respond quickly to critical incidents.
 - c. Pass a qualifications test approved by the Tactical Unit Commander.

B. Negotiations Team

1. Commanded by a supervisor of at least sergeant rank appointed by the Tactical Unit Commander and approved by the Chief of Police.
2. Composed of a sufficient number of negotiation specialists.
3. Selected by the Chief of Police and must have:
 - a. Control in high stress situations.
 - b. Ability to communicate well with all kinds of people.
 - c. Ability to respond quickly to a critical incident.
 - d. Works well in a team-concept environment.
 - e. Have a minimum of three years continued service with the Lewisville Police Department.
4. Responsibilities include:
 - a. Utilization of the negotiation process and crisis intervention techniques to resolve crisis incidents while attempting to avoid unnecessary risk to officers, citizens and persons in crisis.
 - b. Through dialogue, gather intelligence for use by the SWAT Team in their operation/deployment.
 - c. Coordinate with the SWAT Team for successful delivery of items, release of victims or surrender of suspect(s).
 - d. When practical, provide the Incident Commander with status reports as related to the demeanor of the hostage taker/barricaded person.
5. Officers selected to be a member of the Negotiations Team must:
 - a. Submit a memorandum of interest when the opening is posted.
 - b. Successfully complete an oral interview with the Negotiations Team or designees.
6. Individuals selected to become negotiators must complete the TCOLE 40-hour Basic Negotiations course of instruction.
7. Negotiation Specialist shall participate in a minimum of eight (8) hours of biannual, team training.

III. CRITICAL INCIDENT MANAGEMENT

- A. Communications will ensure:
 - 1. The Watch Commander is notified.
 - 2. At the request of the tactical unit commander or ADO, members of the tactical unit are notified and advised where to deploy.
 - 3. Notify the Chief of Police, Patrol Bureau Chief, and Support Bureau Chief.
- B. The Watch Commander will direct operations in a critical incident unless relieved by a higher-ranking officer.
- C. Responsibilities of the Incident Manager (Watch Commander)
 - 1. Call additional staff and resources as needed to control the incident.
 - 2. Notify the Administrative Duty Officer (ADO).
 - 3. Establish a Command Post.
 - 4. Establish a location for the media.
- D. Responsibilities of the ADO.
 - 1. Notify the Chief of Police.
 - 2. Request the Tactical Unit if needed.
 - 3. Confer with supervisors on scene and develop a plan for incident resolution.
 - 4. Assign a media liaison.

IV. TACTICAL CONSIDERATIONS

- A. The following principles guide the management of a critical incident:
 - 1. Hostage takers will not be provided a vehicle.

2. There will be no exchange of hostages.
3. After designated department negotiators have established contact with the subject, other members of the department will not attempt to communicate with him.
4. Provide no controlled substances or alcohol to the hostage taker.
5. Provide no weapons to a hostage taker or barricaded person.
6. Conduct no assault on the suspect's position unless it is immediately necessary to protect an individual from death or serious bodily injury.
7. The Incident Commander makes the decision whether to assault the suspect's position. The objective is peaceful resolution through negotiation.

There will be no deviation from these principles without clearly compelling reasons.

V. DEBRIEFING

- A. As soon as possible after the incident is resolved, all participants will convene at the police station for debriefing.
- B. An "After Action Report" is required after the following incidents:
 1. Major Special Events
 2. Unusual Incidents
 3. Natural or Man-made Disasters
 4. Anytime there is an event requiring the implementation of the Incident Command System
 5. Anytime there is an event requiring the implementation of the City of Lewisville Emergency Management Plan
 6. When directed by a supervisor
- C. "After Action Reports" will identify any deficiencies in training, equipment, and/or planning. They will also recognize those actions that proved effective. Any

problems encountered and recommendations to improve the Department's response in future operations will be included.

D. The Chief of Police will designate a supervisor or commander to complete the After Action Report. Whenever possible, involved personnel should be debriefed immediately following the event, and input solicited for inclusion in the "After Action Report."

E. The Chief of Police will determine a deadline for completing all "After Action Reports." Once completed, the report is routed through the chain of command to the Division Commanders, Bureau Commanders, and Chief of Police for review. Once approved, reports are filed by the Senior Administrative Assistant then disseminated back to the line officers through the chain of command.

VI. COMMAND PRESENCE AT MAJOR CRIME SCENES

A command level officer (lieutenant, captain, or chief) will respond to any of the following incidents:

1. Hostage situation
2. Sniper
3. Barricaded Person
4. Murder
5. Kidnapping (when the victim is still being held)
6. Fatal accident involving a city vehicle
7. Fatal accident involving a department employee

VII. EMERGENCY AND DISASTER OPERATIONS

A. Unusual occurrences are situations, generally of an emergency nature, which potentially are of such significant magnitude that they necessitate the recall of personnel, or requests for support from other agencies, in order to protect life and property, prevent escalation, and restore order. Unusual occurrences result from natural disasters, man-made disasters and civil disturbances.

The first officer arriving on the scene of an incident will:

1. Immediately notify Communications by radio of the following:

- a. Nature of the incident
 - b. Exact location, extent of damage, the size of the crowd, etc.
 - c. Type of assistance required, such as:
 - i. Fire Department
 - ii. Lewisville Police Department specialized units
 - d. Establish initial perimeter
 - i. Street or lane closures
 - ii. Backup officer Rally point
 - e. Request a supervisor respond to the scene
2. Exercise control until the arrival of an officer of higher rank, if possible;
 3. If the incident is of such a nature that the officer cannot reasonably assume control, he/she will observe the incident from a safe distance and keep Communications advised until additional personnel arrive.

B. Deployment of Additional Personnel

Upon arrival of additional personnel, the senior officer at the scene will organize and direct those police functions as necessary for the immediate preservation of order, life, or property (e.g., traffic control, rescue, first aid, etc.) until a supervisor can reach the scene of the incident and assume control. This senior officer should maintain contact with Communications advising them of all actions taken.

C. Duties of first supervisor to arrive at the scene

The first supervisor at the scene will immediately assume command of the operation until relieved by higher authority. It is the responsibility of the first supervisor to:

1. Make a rapid survey of the scene and estimate the seriousness of the occurrence.
2. Close the radio channel.
3. Determine if immediate evacuation of adjacent areas or structures is needed.
 - a. It is recommended that immediate evacuation be limited to areas within the inner-perimeter or other direct line-of-fire areas.
 - b. In the event that a widespread evacuation is needed or required, it should be conducted under the incident commander's direction.

4. Establish a temporary command post and notify the ADO of the following:
 - a. Current status of the situation;
 - b. The number of additional personnel needed;
 - c. Open routes to the scene;
 - d. The location of the temporary command post and parking areas;
 - e. Specific equipment needed; and
 - f. Advise of any rescue operations/evacuations underway.
5. Maintain communication with the ADO as the situation changes, prior to the ADO's arrival at the scene.
6. Relate all available information regarding the incident to succeeding supervisors, including:
 - a. Action taken and anticipated;
 - b. Personnel and equipment present or requested; and
 - c. Immediate problems.

D. Assignment of Additional Supervisors

Additional supervisors arriving at the scene will be assigned to various phases of the operation as needed, including but not limited to:

1. The activation/deactivation of a staging area involving the following procedures:
 - a. Logging in responding personnel;
 - b. **Checking equipment;**
 - c. Issuing department equipment
 - d. Assigning logged-in personnel as directed within the emergency area;
 - e. Deactivation of the staging area by order of the incident commander.
2. The outer and inner police lines;
3. The field command post;
4. Traffic control;
5. The temporary morgue;

6. The first aid station;
7. The press and information center;
8. Property recovery and disposition;
9. Evacuations;
10. The parking area;
11. The ambulance parking area;
12. The temporary shelter;
13. The tow truck area;
14. Arrest teams;
15. Protection of Fire Department and EMS equipment and personnel.

E. Field Command Post – Selection and Activation

1. A field command post is established for all unusual occurrences that require a major commitment of departmental resources for an extended period of time. A field command post may be established by the supervisor at the scene for any event or occurrence regardless of the size of the operation.
2. The creation of a field command post helps the incident commander on the scene with the vital tasks of commanding the operation, maintaining a system of communications, acquiring additional personnel and equipment, accumulating, utilizing and disseminating intelligence information, and coordinating efforts with law enforcement and other agencies.
3. The location for a field command post should be:
 - a. In the vicinity and strategic to the occurrence;
 - b. A site readily located and accessible to responding personnel;
 - c. Secure and defensible.
4. The mobile Special Operations Center should be used unless it is:
 - a. Not of sufficient space to accommodate personnel; or
 - b. Circumstances make it impractical to utilize the SOC.

- c. Additional mobile communications vehicles may be available by contacting LFD.
5. In unusual occurrences requiring a large number of personnel or those, which continue for an extended period of time, it may be necessary to establish a staging area separate from the field command post. This allows the command operations to remain free from disruption. The deactivation of the staging area is by the incident commander in charge.
6. Once a field command post is established, it remains operational until the situation has stabilized and order is restored. The deactivation of the command post is by the incident commander in charge of the command post.
7. The ADO will make a determination to implement the Denton County Emergency Management Plan. In the event the incident has escalated to the degree requiring multiple jurisdictions and outside resources, Denton County will most likely implement the County's Emergency Management Plan.

F. Alert and Mobilization

The purpose of this section is to establish the procedure by which off-duty personnel may be placed on alert and/or mobilized in an expeditious manner. This procedure is designed to be flexible. All or any part of this procedure may be put into operation as each particular situation demands. If necessary, this procedure allows an orderly progression from "alert" status up to and including total mobilization of off-duty personnel.

1. Classification of Alerts

The supervisor initiating the alert will specify the classification, and each person called will be advised accordingly. There are three types of alerts:

- a. Stand-by alert:
Notify personnel that they may be needed for mobilization.
- b. Mobilization Alert:
Personnel may be called and ordered to report to the staging area.
- c. Practice Alert:
The efficiency of the alert and mobilization plan may be tested by calling a practice alert. Practice alerts will only be called when authorized by the Chief of Police.

2. Alert Authorization

- a. Declaration of an alert, and the subsequent partial or total mobilization of personnel, may only be authorized by the Chief of Police or, if the Chief is not available, by:
 - i. An assistant chief of police;
 - ii. The ADO, or
 - iii. If none of the above is immediately available and the situation warrants immediate police response, the watch commander may order the mobilization procedures put into effect.

3. Types of Mobilization

- a. Partial mobilization:
The situation may be such that only part of the total force is needed.
- b. Total mobilization:
If a situation reaches or may reach such magnitude as to require a large force, all personnel may be mobilized. All vacations, days off, and approved leave may be canceled and duty hours altered.

4. Staging Area

- a. The primary staging area will be identified in the alert notification page.
- b. Transportation of personnel from the staging area to the incident location may be accomplished by use of:
 - i. Various vehicles assigned to the Police Department;
 - ii. Unmarked police units; and
 - iii. Buses or other vehicles.

G. Duties of Alerted Personnel

- 1. The alert notification will specify the type of alert being called. On receipt of notification, personnel will report by the most expeditious means to the staging area in uniform with assigned equipment.
- 2. Employees unable to respond will notify the on-duty supervisor immediately.

H. **Arrest Procedures**

1. All arrests will comply with the department's General Order 4.4 Arrest and Probable Cause.
2. The canine units will comply with the department's General Order 4.47 Canine Unit
3. Officer will comply with the department's General Order 4.1 Use of Force including the prohibition of excessive use of force against any individual engaging in non-violent civil rights demonstrations.
4. In instances that may result in the physical arrest of a large number of persons, an arrest detail will be organized to work in conjunction with field personnel on the scene. Assignments will be made through the Community Services Bureau.
5. The purpose of this detail is not to make physical arrests, but to take prisoners from arresting officers and transport them to the Lewisville Municipal Jail or Denton County Sheriff's Office Central Booking.

VIII. ACTIVE SHOOTER RESPONSE

A. Definitions

1. Active Shooter – an incident where one or more armed individuals use, or are reasonably likely to use, deadly force in an ongoing manner, and where persons are injured, killed, or are facing an imminent threat of death or serious bodily injury by such persons.
2. Contact Team – The first arriving officer(s) on scene who enter with intentions to locate and neutralize the threat(s). Contact Teams move past victims to quickly move towards the threat.
3. Rescue Task Force – A team of police officers and paramedics who make entry after the Contact Team. The Rescue Task Force evacuates people from the hazardous area to a secure Casualty Collection Point for treatment and evacuation.

B. Initial Response

1. On-duty sworn personnel will respond Code 3. The initial officer(s) will form Contact Teams to enter with intent to neutralize the threat.
2. One officer, preferably a supervisor, will assume the role of Incident Commander. The Incident Commander will coordinate the response of Contact Teams and Rescue Task Force teams. The officer will remain the

Incident Commander until relieved by a higher-ranking officer or the Administrative Duty Officer.

C. Incident Command

1. The Incident Commander will make contact with the Fire Department Commander.
2. The Incident Commander will coordinate deployment of Rescue Task Force teams with the Fire Department Commander.
3. The Incident Commander will maintain open communications with the Rescue Task Force and Contact Teams
4. The Incident Commander will establish a perimeter and an evacuee collection point.

D. Conclusion of Event

1. Conduct a thorough search of the scene to account for all victims.
2. Secure the scene until relieved by crime scene investigators

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.6

SUBJECT: DEALING WITH THE MENTALLY ILL

**DATE OF ISSUE:
08/10/98**

POLICY

The need to assess the mental state and intentions of individuals is a common requirement in the delivery of police service. Employees dealing with a person acting in a bizarre or abnormal manner must assess the intent and capabilities of that individual and take reasonable action to ensure the safety of everyone involved in a particular situation.

PROCEDURE

I. EMPLOYEE RESPONSIBILITIES

- A. If a crime has been committed take appropriate enforcement action.
- B. Absent a crime, evaluate an individual's behavior in the total context of the situation in determining the need for police intervention.
- C. The role of LPD personnel is to resolve a particular situation as safely as possible through an arrest or referral to appropriate medical or mental health services. LPD personnel must not attempt to diagnose specific mental illnesses or attempt treatment.

II. SYMPTOMS OF MENTAL ILLNESS

- A. Many people who are not mentally ill act abnormally on occasion. The following behaviors are common to mental illness, but they are not conclusive:
 - 1. Strong and unrelenting reactions such as an unjustified fear of persons, places, or things.
 - 2. Inappropriate behavior for a given situation.
 - 3. Extreme rigidity or inflexibility.
 - 4. Inability to remember common facts such as name or address.
 - 5. Impossible thoughts or beliefs such as "I am Jesus Christ."

6. Fear of being constantly watched, recorded, or followed.
 7. Hallucinations such as hearing voices, smelling strange odors, or feeling skin “crawl.”
 8. Sudden and drastic mood swings.
 9. Confusion, fright, or depression without reasonable cause.
- B. Some neurological, physiological or bio-chemical conditions can also produce behaviors that appear to be mental illness, but they are not. Examples are:
1. **Alzheimer’s Disease**
The person has memory loss and confusion. This condition is typically found only in older people.
 2. **Autism**
The person may be compulsive, repetitive, or seem to be clearly deaf or blind. The person can become very distressed over minor changes in environment. The person may not react to commands given by officers.
 3. **Cerebral Palsy**
The person may have physical awkwardness, involuntary movement, or speech impairment.
 4. **Chemically Induced Behavior**
Ingestion of drugs, alcohol, or other chemicals may cause abnormal behavior similar to mental illness.
 5. **Diabetes**
The person may be unresponsive, disoriented or appear intoxicated.
 6. **Mental Retardation**
The person has subnormal mental capacity but is able to control behavior in the same way a child would. The person does not become violent without the types of provocation that would cause a normal person to become violent.

III. ASSESSMENT OF SITUATION

- A. Due to the unpredictable nature of many mentally ill persons, be particularly conscious of the safety of all persons involved in a given situation.
 - 1. Learn as much as possible about the individual.
 - a. The dispatcher must gather and provide basic information when it is available.
 - b. Gather information from any available witnesses or relatives.
 - 2. Attempt to learn the following about the subject:
 - a. Physical characteristics
 - b. Specific behavior
 - c. Relationship to other persons involved
 - d. Commission of a crime
 - e. Availability of weapons (specify type)
 - f. Prior police contacts
 - g. Nature of any mental health dispositions
 - h. Past or present use of prescription drugs
 - i. Identity of treating physicians or psychologists
- B. Determine an appropriate response
 - 1. Unless a crime of violence has been committed or dangerous weapons are involved, approach in a low profile manner.
 - 2. Use emergency lights and sirens only when urgency is required. Turn them off as soon as possible after arrival.

3. If there is a suicide threat, hostage, or barricaded person, request back-up and appropriate specialized units according to General Order 4.5, "Critical Incidents."
 4. Attempt to identify the cause of the behavior (as perceived by the individual) and use it as a basis of discussion to moderate the person's distress.
 5. Failure to take prescribed medication may cause bizarre behavior. Attempt to determine if this is a factor and notify the appropriate medical professional.
 6. Attempt to determine if the behavior is exacerbated by drugs or alcohol.
 7. Disburse crowds of onlookers and control noise.
- C. Determine whether the individual represents a threat to himself or others.
1. Determine if he has a dangerous weapon.
 2. Seriously consider any threats made by him.
 3. Check for prior incidents of violent behavior. Use police records and information from friends and relatives.
 4. Consider the amount of self-control over rage, anger, fright, or agitation demonstrated by the individual. Clutching one's self or other objects, begging to be left alone, or frantic assurances that everything is all right may suggest the individual is close to losing control.
 5. Evaluate the volatility of the environment, including the nature of bystanders, crowds, traffic, and structures.

IV. COMMUNICATING WITH THE MENTALLY ILL

- A. Be aware of personal safety. Do not attempt to arrest without back-up unless absolutely necessary.
- B. Realize the individual will likely contact the police in a similar manner in the future. Do not be dismissive or disdainful.

- C. Attempt to build rapport by speaking in a calm, relaxed manner. Maintain a physically defensive posture.
- D. Exhibit a “take-charge” attitude without being condescending or intimidating.
- E. Avoid issues that may agitate the individual.
- F. Reassure the individual that officers are there to help and that an appropriate resolution can be reached.
- G. Allow the person to ventilate.
- H. Express concern no matter how trivial a problem seems.
- I. Always be truthful.
- J. Do not threaten with arrest.

V. ARREST OR REFER

- A. Arrest when necessary. Use the safest techniques reasonable for the situation. Arrest is necessary when a serious crime has been committed or when the individual is a danger to himself or others.
- B. After arrest, determine if involuntary commitment is necessary. The highest ranking patrol supervisor on duty must approve the involuntary commitment process.
- C. If there has been no crime or if there is no reason to believe the individual is a danger to himself or others, provide information concerning available mental health services. Give the same information to friends or relatives of the individual who is mentally ill.

VI. INVOLUNTARY COMMITMENT

- A. A peace officer has the following authority in mental health situations:
 - 1. Texas Health and Safety Code, Sec. 573.001, authorizes detention without warrants if there is not enough time to obtain a warrant and a substantial risk exists to the person in question or to another.

2. Texas Penal Code, Sec. 9.34, authorizes use of force against a person when the force is immediately necessary to prevent him from committing suicide or inflicting serious bodily injury to himself.
- B. After taking the person into custody, call the Denton County Mental Health Unit and request a representative to evaluate the individual for involuntary commitment. Complete the “Notification of Emergency Detention” affidavit. A copy of this affidavit shall be turned into the Records Section.
 - C. If the person detained committed a serious criminal offense, classify him as a high risk or suicide risk prisoner, as appropriate and follow applicable procedures.
 - D. If the person detained has not committed an offense, do not place him in the jail unless there are extreme circumstances. Always keep the person separated from other prisoners.
 - E. If Denton County mental health deputies are unable to transport the person to a mental health facility, Lewisville PD officers will assume that responsibility.
 1. Treat the person as a high risk or suicide risk (as appropriate) during transport.
 2. At least two officers are required to transport a mental health detainee.

Notification – Emergency Detention

No. (OCA #)

DATE:

TIME:

THE STATE OF TEXAS
FOR THE BEST INTEREST AND PROTECTION OF:

Detainee's Name

NOTIFICATION OF EMERGENCY DETENTION

Now comes Detaining officer's name, a peace officer with Lewisville Police Department, of the State of Texas, and states as follows:

1. I have reason to believe and do believe that Detainee's Name evidences mental illness.
2. I have reason to believe and do believe that the above-named person evidences a substantial risk of serious harm to himself/herself or others based upon the following:

3. I have reason to believe and do believe that the above risk of harm is imminent unless the above-named person is immediately restrained.
4. My beliefs are based upon the following recent behavior, overt acts, attempts, statements, or threats observed by me or reliably reported to me:

5. The names, addresses, and relationship to the above-named person of those persons who reported or observed recent behavior, acts, attempts, statements, or threats of the above-named person are (if applicable):

For the above reasons, I present this notification to seek temporary admission to the Name of Facility inpatient mental health facility or hospital facility for the detention of Detainee's Name on an emergency basis.

6. Was the person restrained in any way? Yes No

PEACE OFFICER'S SIGNATURE
BADGE NO. _____
 Address: 1187 West Main Street
 City/State/Zip: Lewisville, Texas 75067
 Telephone: 972-219-3600

A mental health facility or hospital emergency department may not require a peace officer to execute any form other than this form as a predicate to accepting for temporary admission a person detained under Section 573.001, Texas Health and Safety Code.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.7

SUBJECT: ASSIGNED VEHICLE PROGRAM

**DATE OF ISSUE:
04/01/98**

POLICY

All City Vehicles will be operated in a safe and efficient manner. The Assigned Vehicle Program increases the visibility of marked police cars in the community. The presence of a marked police car acts as a deterrent to criminal behavior and increases citizens' feelings of safety.

PROCEDURE

I. LEWISVILLE ADMINISTRATIVE POLICIES

Employees operating a vehicle in the course of their work as an employee will comply with City of Lewisville Administrative Directive 2.19.1, "Vehicle Policy/Vehicle Operator Standards," Directive 2.19.2, "Vehicle Policy/Usage Criteria," Directive 2.19.3, "Vehicle Policy/Take Home," Directive 2.20, "Safety Program," and the Lewisville Safety Manual.

II. PASSENGER TRANSPORT WHILE ON-DUTY

- A. Do not transport children under 14 in the field of deployment of an air safety bag.
- B. Do not transport any other individual of small stature in the field of deployment of an air safety bag.
- C. Make sure all passengers younger than eight years of age and less than 57 inches in height are in approved child safety seats.

III. ASSIGNED VEHICLE PROGRAM

- A. Only sworn personnel who live within the city limits of Lewisville will be admitted into the Assigned Vehicle Program. Vehicle assignments will be made by the Chief of Police or his/her designee based on officer seniority, driving history and Assigned Vehicle availability.
- B. Personnel in the Assigned Vehicle Program may not presume any special privileges with the marked police car while off-duty such as parking in restricted or reserved parking areas unless responding to an emergency.
- C. Personnel on modified duty or light duty will be removed from the Assigned Vehicle

Program temporarily until returned to full duty status. The assigned vehicle will be parked at the police department and subject to use as needed in the best interest of the department. All personal items will be removed from the assigned vehicle.

- D. When off-duty, personnel will remove all firearms from the vehicle. Unattended vehicles must be locked.
- E. Personnel operating a marked police car off-duty must comply with all city policies and department General Orders to include immediately reporting accidents or damage to the vehicle.
- F. Only members of the department may accompany the officer as passengers when the Assigned Vehicle is operated by an off-duty officer.
- G. Off-duty use of an Assigned Vehicle is only permitted within the geographical limits of Denton County.
- H. Personnel operating an Assigned Vehicle off-duty must wear long pants, a collared shirt, and sturdy shoes (no sandals or flip-flops). Any logos on clothing must meet the professional standards of the Lewisville Police Department.
- I. Personnel are required to have in the vehicle at a minimum a service weapon or approved off-duty weapon, holster, badge, badge holder, ballistic vest in an outer vest carrier, traffic safety vest and portable radio.
- J. While using an Assigned Vehicle off-duty, the mobile radio must be on and tuned to the main patrol channel.
- K. Operating a marked police vehicle creates an expectation of action by the public even when operated by an off-duty officer/sergeant. In minor cases encountered off-duty, the Officer/Sergeant will call an on-duty officer to handle the call and will stand by and assist as needed until relieved by an on-duty officer. Off-duty Officers/Sergeants will take immediate action as necessary to protect the public and make supplemental reports as necessary. When an Officer/Sergeant operating an Assigned Vehicle off-duty happens upon a traffic crash, traffic hazard or disabled vehicle in the roadway, he/she will activate emergency lighting and make the scene safe until relieved by an on-duty officer.
- L. Personnel shall respond to any felony in progress when they are the closest unit and the arrival of on-duty personnel will be significantly delayed.
- M. The use and/or transportation of alcoholic beverages in police vehicles will not be allowed. No person with any detectable amount of alcohol in their system may operate a police vehicle.
- N. Personnel allocated an Assigned Vehicle is responsible for coordinating

maintenance and repairs to the marked police vehicle. All arrangements for maintenance, service and repair work on Assigned Vehicles should be made while the officer is on-duty. Whenever possible the vehicle should be left at the city shop so that the work can be performed while the Officer/Sergeant is off duty. (IE: The vehicle should be left at the shop at the end of the last workday for work to be performed during the Officer/Sergeant's days off.

- O. Personnel assigned an Assigned Vehicle are fully responsible for general maintenance (checking the oil and tire pressure etc.) and proper care of the vehicle (clean exterior and interior), but shall refrain from:
 - 1. Performing mechanical work on the vehicle
 - 2. Altering the body, appearance, markings and mechanical or electrical systems
 - 3. Making repairs or having repairs made outside the official channels
 - 4. Adding accessories or equipment without prior approval of the Chief of Police or his/her designee

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.8

SUBJECT: EMERGENCY VEHICLE OPERATION
(Std. Ref. 7.15 & 7.16)

DATE OF ISSUE:
01/15/97

POLICY

The Department must balance the necessity for emergency response or apprehension against the probability of damage or injury. The Department will minimize the risk of loss of life, personal injury and property damage associated with vehicular accidents due to unsafe vehicle operation. Due regard for others is stressed in all driving situations, whether it be normal operation, emergency operation or pursuit operation.

PROCEDURE

I. VEHICLE OPERATION CODES

The following codes describe how Department vehicles are to be operated.

A. Code 1

1. Code 1 is normal driving on standard patrol and while responding to non-emergency calls for service. Officers are to obey all traffic laws and drive courteously.
2. The use of emergency lights and siren is not authorized.

B. Code 3

1. Code 3 is the use of emergency lights and siren in order to respond to emergencies as safely and quickly as possible. Emergency lights must be operated continuously. Sirens may be de-activated if there are no hazards present or when it is necessary to travel silently in order, not to alert a suspect or endanger lives. Code 3 approach is not authorized without appropriate emergency equipment.
2. Emergencies are situations that pose a risk of death or serious bodily injury.
3. Officers are required to respond Code 3 to all Priority One calls.

C. Restrictions on Code 3

1. Only sworn officers driving properly equipped police vehicles may operate in a Code 3 manner. The term "police vehicles" directly refers to the definition of police vehicles provided in the Texas Transportation Code. The chief of police may authorize personal vehicles as a "police vehicle" by memorandum.
2. The Texas Transportation Code does not relieve the driver of an authorized emergency vehicle from: "(1) the duty to operate the vehicle with appropriate regard for the safety of all persons; or (2) the consequences of reckless disregard for the safety of others." Every officer must comply with this law. The officer must always drive in such a way to protect innocent third parties who could be endangered by police vehicle operation.
3. Officers may exceed the posted speed limit by no more than 30 mph provided they are traveling at a safe and prudent speed based on road conditions, traffic congestion, pedestrian traffic, environmental conditions, etc., when operating Code 3. On residential streets, officers will not exceed 25 mph.
4. Only the primary unit and assigned backup units are permitted to respond Code 3 to any particular situation. The supervisor may also respond Code 3 if he believes it is necessary and authorizes other units to respond Code 3 as is tactically appropriate.
5. All Code 3 operations must be done in accordance with current state law regulating the operation of emergency vehicles.
6. Officers shall not turn off video recording equipment (once it is activated during emergency responses) until they arrive on the scene.
7. Officers driving Code 3 may disregard a traffic signal only after slowing to a speed that will permit a safe stop if required. A complete stop may be necessary for some situations.
8. Officers will always control speed to avoid colliding with any person, vehicle, or object either on or off the roadway.
9. Officers will operate in the far left-hand lane of traffic on multi-lane roadways traveling the same direction, whenever possible.

D. Overtaking Violators

1. Officers overtaking traffic violators must use extreme care especially if starting from a stopped position.
2. Overtaking maneuvers must be done without endangering other traffic.
 - a. Officers must ensure that the way is clear before pulling onto the roadway.
 - b. Officers must always consider that drivers do not always react logically or as required by law when approached by emergency vehicles and be prepared for aberrant maneuvers.
3. Officers may accelerate to a reasonable speed to overtake a violator. When the overtaking speed exceeds 30 mph over the limit, officers must turn on both emergency lights and siren. Officers may exceed 30 mph over the limit without emergency equipment while on a limited-access roadway, but they must always ensure the speed is reasonable and under control.

II. PURSUIT OPERATIONS

- A. A pursuit is an active attempt by a law enforcement officer to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of the attempt and is resisting apprehension by maintaining or increasing his speed, by ignoring the law enforcement officer's attempt to stop him, or by taking evasive action.
- B. An officer will not pursue for a traffic violation only. If a violator simply ignores the law enforcement officer and obeys all traffic laws after the traffic stop is initiated, this is not considered a pursuit for reporting purposes and no pursuit report should be completed. The officer is not required to terminate the attempted traffic stop unless the situation becomes dangerous, or a supervisor directs the officer to do so.
- C. **Offenses That May Justify A Pursuit:**
 1. Suspected of a Felony Offense (This justification shall not be used when the only felony present is the flight of the suspect in a vehicle.);
 2. Suspicion of Driving While Intoxicated (Suspicion must occur prior to emergency equipment activation).; or

D. An officer pursuing a suspect who is fleeing in a motor vehicle may continue the pursuit as long as the pursuit does not create a greater hazard to the community than that posed by the suspect. A pursuit may continue only when there is a reasonable belief that the need to apprehend the suspect immediately outweighs a clear risk of harm to the public if the pursuit continues. In making the decision to pursue or continue a pursuit, an officer must consider:

1. Safety of the pursuing officers;
2. Safety of the public in the area of the pursuit;
3. Safety of the occupants of the pursued vehicle to include:
 - a. Possibility of juvenile operator and passengers;
 - b. Type of vehicle, such as a motorcycle; and
 - c. Condition of pursued vehicle.
4. The seriousness of the originating crime and its relationship to community safety;
5. Time of day;
6. Volume and speed of vehicular traffic;
7. Volume of pedestrian traffic;
8. Weather and visibility;
9. Road surface and conditions;
10. Nature of neighborhood;
11. Speeds involved;
12. Possibility of identification and later apprehension of the violator;
13. Familiarity of the officers and the supervisor with the area of the pursuit;
14. Quality of radio communications between primary and secondary units and the controlling supervisor;
15. Condition and capabilities of the police vehicle and the officer.

E. **General Pursuit Guidelines**

1. Operation of police vehicle in a pursuit:
 - a. No more than three police vehicles will participate in a pursuit.
 1. The pursuit (or primary) unit.
 2. One or two support unit(s).

b. **Controlling Supervisor**

The controlling supervisor should not be one of the three units participating in a pursuit, whenever possible, but should objectively monitor the pursuit. The controlling supervisor has the ultimate responsibility for ensuring that this policy is followed. The Lewisville Police Department will adhere to the Inter-departmental Pursuit Policy agreement (an agreement signed by all North Texas Law Enforcement agencies), which limits the number of vehicles becoming involved in a pursuit to three.

- c. Only pursuit-rated police vehicles operated by an officer and equipped with emergency lights and siren will engage in a pursuit.
- d. Officers driving in a pursuit will be required to activate both emergency warning lights and the siren at all times while the pursuit is in motion.
- e. Speed will be reasonable considering things such as weather, traffic control devices, character of the neighborhood, traffic volume, road and vehicle conditions, and the nature of the violation.
- f. Officers will operate the police vehicle pursuant to the applicable sections of the state law and city ordinances.
- g. Vehicles may disregard a traffic control device where they do not have preferential right-of-way ONLY after slowing to a speed that will allow the vehicle to stop SAFELY if necessary.
- h. Speed shall ALWAYS be so controlled as to avoid colliding with any vehicle, person, or object either on or off the roadway.
- i. Tire deflation devices (TDDs) may be authorized by the controlling supervisor of a police pursuit. TDDs may only be deployed by officers trained in their deployment and in accordance with department

training bulletins. Supervisors will use units equipped with TDDs that are well ahead of an approaching pursuit.

2. Prohibited practices:
 - a. Use of road blocks;
 - b. Pursuits in alleys;
 - c. Pursuits in residential neighborhoods (identified within the city as those streets posted at 25 MPH), parking lots or apartment complexes unless the suspect is traveling at or under 25 MPH and efforts to stop the suspect comply with all other aspects of this directive;
 - d. Pursuits in school zones to include the periods 1/2 hour before and after the standard school zone time;
 - e. Attempts to force the fleeing vehicle from the roadway by driving alongside or in front of it;
 - f. Bumping or ramming the fleeing vehicle;
 - g. Discharging firearms at a moving vehicle;
 - h. Pursuing vehicles on the wrong side of the roadway;
 - i. Pursuing vehicles the wrong way on one-way streets;
 - j. Pursuing vehicles the wrong way on controlled access roadways; and
 - k. Pursuing vehicles with police vehicles that contain any passengers. (Does not apply to on-duty officers from other police agencies or authorized civilian observers.)
3. Pursuits will be terminated for the following:
 - a. Loss of visual contact with the violator, other than momentarily;
 - b. The existence of unfavorable weather, road, vehicle or pedestrian traffic;
 - c. The nature of the offense does not justify continuing; or

d. Equipment on the pursuit vehicle malfunctions and there is no back-up unit to take over the pursuit. Equipment malfunction includes equipment failure involving vehicle:

1. Lights;
2. Sirens;
3. Radio;
4. Brakes;
5. Steering; or
6. Other essential mechanical equipment.

e. Knowledge of a defective tire.

4. A pursuit may be terminated by any of the following:

- a. Personnel in the primary unit;
- b. Personnel in any support unit; or
- c. A sworn supervisor.

5. When a pursuit is concluded, a Vehicular Pursuit Report will be completed by every officer involved and the reports will be:

- a. Forwarded, through channels, to the Chief;
- b. Reviewed by command staff; and
- c. Used by the Safety Review Committee to assess training needs and policy revision.

F. Officer Initiating a Pursuit

1. Will use the statement "In Pursuit" and provide the following information to the dispatcher:

- a. Unit number;
- b. Direction of travel;

- c. Reason for pursuit;
 - d. Vehicle description and number of occupants observed;
 - e. Road conditions if significant or adverse; and
 - f. Provide reports of speeds during the pursuit.
2. Should make a reasonable effort to apprehend a fleeing violator, but not pursue to such an extent as to endanger the life of any person;
 3. Will terminate the pursuit when any of the conditions requiring termination are present; and
 4. Is responsible for:
 - a. Disposition of the offender;
 - b. Disposition of all passengers of the vehicle;
 - c. Disposition of the vehicle; and
 - d. The coordination of all reports, citations, and criminal charges.

G. Support Unit Operator

1. Will have back-up responsibilities to the primary unit;
2. Will stay a safe distance from the primary unit to lessen the chance of collision and allow the primary unit room to maneuver;
3. Will assume the radio transmission responsibility when actively involved in the pursuit; and
4. Will assist the primary unit as needed when the pursuit ends (prisoner transport, disposition of the vehicle, etc.).

H. Controlling Supervisor

1. In most situations, the controlling supervisor will be the pursuing officer's supervisor or Watch Commander who must:
 - a. Monitor radio communications to ensure only those units authorized participate in the pursuit. In the event multiple supervisors are on duty during a pursuit, the controlling supervisor will initiate a radio

communication to declare himself the controlling supervisor. If only one supervisor is on duty during a pursuit, they are the controlling supervisor;

- b. Assume control of the pursuit situation to ensure departmental policies are followed;
- c. Order any response necessary and appropriate to safely conclude the pursuit; and
- d. Order a vehicular pursuit discontinued when the risk created by the pursuit exceeds the immediate danger of the violator remaining at large.
 - i. The primary consideration in determining whether to continue a pursuit is the nature and severity of the violation that initiates the pursuit, and
 - ii. The decision to continue or terminate a pursuit must be based on all available facts and will be constantly re-evaluated by the controlling supervisor as conditions or circumstances change.

2. If the pursuing officer's supervisor or Watch Commander is unavailable, any other sworn supervisor on duty will be assigned by dispatch.

I. Pursuits Into Other Jurisdictions

1. When a pursuit is about to enter another jurisdiction, communications will notify the law enforcement agency of that jurisdiction of the pursuit and provide the following:
 - a. Direction of travel;
 - b. Reason for the pursuit;
 - c. The number of units involved;
 - d. Description of the vehicle and occupants;
 - e. Whether or not assistance is needed based on information received from the primary element or controlling supervisor; and
 - f. When the pursuit has left the other agency's jurisdiction.

2. The controlling supervisor or primary element will terminate our pursuit in another jurisdiction when the situation:
 - a. Is out of control; and/or
 - b. Is unsafe because of the actions of LPD officers or officers from other agencies. Note: Avoid “trailing” along behind a violator once the pursuit is terminated for fear of being named the “proximate cause” of any accidents caused by the violator.

J. Pursuits by Other Agencies in the City of Lewisville

1. Unless specifically requested by the originating agency, no officer will join in a pursuit that was originated by another agency. This does not prevent a unit being assigned to a point of advantage or the scene of termination.
2. If the situation becomes uncontrollable or unsafe, the controlling supervisor or the primary unit will terminate our assistance in the pursuit.
3. A supervisor will respond to an outside agency's pursuit that terminates in our city to obtain pertinent information concerning the pursuit.
4. Officers shall not engage in pursuits initiated by agencies outside our jurisdiction that enter our city unless:
 - a. The officer has reason to believe that the violator being pursued has committed, has attempted to commit, or is attempting to commit an offense for which pursuit is authorized; and
 - b. All guidelines and restrictions regarding pursuits described in this General Order apply and are followed.
5. Officers will terminate a pursuit when it leaves the jurisdiction of this Department unless:
 - a. Specifically authorized by a supervisor to remain in the pursuit; or
 - b. It is clear to the assisting unit that terminating the assistance will jeopardize the safety of the pursuing agency's officer; but
 - c. Will terminate the assistance as soon as it is safe to do so.

K. Communications Responsibilities

1. The radio dispatcher will re-transmit all information pertinent to the pursuit to other police units, but not to the point of interfering with the pursuing units.
2. The dispatcher will immediately notify the supervisor and Watch Commander of a pursuit. If a diligent attempt to notify the supervisor fails, the dispatcher will notify the primary element that no controlling supervisor is available.
3. The dispatcher will advise pursuit vehicles of any known hazards in the path of the pursuit such as accidents and street closures, or of any other pertinent information such as a bank robbery that may have occurred near the initial point of the pursuit.
4. The dispatcher will log the time of all communications concerning a pursuit.
5. The dispatcher will attempt to obtain any available information on the occupants of the vehicle being pursued.
6. The dispatcher will assign the nearest unit to the pursuit as the back-up unit.
7. The dispatcher will ascertain the following information from another agency requesting pursuit assistance:
 - a. What type of assistance is required?
 - b. Why the vehicle is being pursued?
 - c. Vehicle description and direction of travel.
 - d. The number of outside units entering Lewisville jurisdiction.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.9

SUBJECT: SECURITY OF POLICE BUILDING

**DATE OF ISSUE:
10/01/01**

POLICY

Due to the inherent conflict involved in law enforcement, procedures to ensure security for personnel and facilities are necessary. Controlled entrance into the building is a basic element of effective security.

PROCEDURE

I. PUBLIC ACCESS

- A. The lobby of the police department jail, 1187 W. Main Street, will always be open to the public.
- B. Entry into other parts of the police building or municipal annex is controlled.
- C. Anyone desiring entry into the secure areas for the police building will be directed to the police department lobby. Records staff will determine the nature of the visitor's needs. Records staff will issue a temporary identification badge and log all visitors into the facility, except for persons listed in section D below. Records staff will call the appropriate employee to escort the visitor into the secure area of the building.
- D. Visitor identification badges are not required for:
 - 1. Law enforcement officers in uniform or visibly wearing a badge or an agency-issued identification card;
 - 2. City employees wearing a City of Lewisville uniform or city-issued identification (Police employees on duty in civilian attire will visibly display their city-issued identification while on city property);
 - 3. Elected City Officials or members of the City Manager's staff with a city-issued identification badge;
 - 4. Department volunteers visibly wearing department-sanctioned identification; or
 - 5. Tour groups escorted by on-duty LPD employees.

- E. Any employee receiving a visitor will escort him out of the secure area after business is completed. The visitor will sign out with the desk officer and return the badge.
- F. All doors leading to the secure areas will remain locked. Records staff will ensure that individuals are cleared for entry before unlocking a door by remote control. Communications personnel will ensure persons are cleared for entry prior to allowing access to a secured area of the Lewisville Municipal Annex.
- G. The Watch Commander is responsible for building security at 1187 W. Main Street. The Watch Commander will:
 - 1. Monitor all visitors for potential security problems;
 - 2. Watch for unattended packages, brief cases, suitcases, or other suspicious containers that might contain bombs; and
 - 3. Make periodic checks of the building for fire hazards and security breaches.
- H. Any employee who sees an unescorted person inside the secure area will identify and direct that person to the records staff.

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 4.10

SUBJECT: DETENTION FACILITY OPERATIONS

(Std. Ref. 10.21)

DATE OF
ISSUE:
10/01/01

POLICY

Deprivation of an individual's liberty is a serious responsibility. This order establishes guidelines to ensure that there is an adequate legal reason to hold any person incarcerated in the Lewisville Detention Facility. These guidelines also help protect the rights of each prisoner and help ensure the prisoner is held in a safe and secure environment.

PROCEDURE

I. JAIL PURPOSE

- A. The Lewisville Detention Facility is a temporary holding facility. Jail officers must:
1. Release prisoners on bond or transfer them to a full-service detention facility as soon as possible.
 2. Hold prisoners no longer than 48 hours without a probable cause determination.
 3. Arraign prisoners daily that need to see the magistrate.
 4. Provide safe and secure detention of all inmates.
- B. In this directive, detention officer refers to any person assigned to detention duties on a particular shift. This person could be a civilian detention officer, desk officer, or any other officer assigned.

II. OPERATIONAL SUPERVISION

- A. The detention coordinator, who reports to the Civilian Services Bureau Manager, will serve as the administrative manager of the jail.
- B. The detention supervisor has ultimate responsibility for jail operations on his tour of duty. Shift administrative supervision of the jail is the responsibility of the detention supervisor on each shift. In the absence of a supervisor, the senior detention officer II will assume their responsibilities. Responsibilities of the detention supervisor include:

1. Check all prisoner documentation at the beginning of each shift to identify all suicide and high-risk prisoners, as well as to verify that all prisoners are detained lawfully.
2. Check all prisoner documentation as soon as possible after book-in to identify all suicide and high-risk prisoners, as well as confirming probable cause.
3. Monitor conditions in the detention facility and be aware of the number of prisoners and the nature of the detention population.
4. Understand all current policies, procedures, and orders concerning detention operations.
5. Monitor all persons working in the detention facility to ensure they comply with policy, procedures, and orders concerning the detention facility.
6. **Ensure the following detention responsibilities are fulfilled:**
 - a. All prisoners must be detained in a safe environment.
 - b. All prisoners must have the opportunity to make bond in accordance with procedures established by the Denton County Sheriff's Office and the City of Lewisville Municipal Court.
 - c. All prisoners must be fed as closely as possible at 0600, 1300, and 1900 if they are incarcerated at those times.
 - d. All prisoners must receive appropriate medical attention promptly when needed.
 - e. **Routine cell checks must be made at least once at random intervals during each hour.**
 - f. Suicide risk prisoners must be continuously monitored. This task will be accomplished by physically watching the inmate in front of their cell.
 - g. **High-risk prisoners must be checked at least once during every 20 minute period at random intervals.**
 - h. A victim of family violence must be notified of the release of the person arrested for assaulting him or her whenever possible.

III. **ARREST REVIEW**

- A. The watch commander will review each arrest as close as possible to the time of book-in. The purpose of the review is to ensure adequate probable cause.
- B. At the time of book-in, the booking officer will complete all required reports and submit them to the detention supervisor.
- C. If the arrest is not legally justified, the watch commander, Patrol supervisor or other sworn supervisor shall immediately release the prisoner.
- D. Any sworn supervisor releasing a prisoner because of an unjustified arrest will notify the chief of police through the chain of command by completing a memo in the Blue Team system. Additional copies of this memorandum will be forwarded to the detention coordinator, Civilian Services Bureau Manager and the direct supervisor of the officer involved if not assigned to the reporting supervisor.

IV. **HIGH-RISK PRISONERS**

- A. High-risk prisoners are individuals who have indicated by their actions or words that they might try escape or assault. Prisoners who indicate by their behavior, condition, or words that they have a medical condition that could be life-threatening are also high-risk prisoners. Persons with diabetes are high-risk prisoners, and the detention supervisor must ensure every reasonable effort to provide the prisoner with insulin or any other prescriptions needed in accordance with Jail Procedural Orders.
- B. The detention officer will complete medical screening on each prisoner before putting the prisoner into his assigned cell. Any time a high-risk prisoner is detected, the screening officer will immediately notify the detention staff on duty, the detention supervisor, and the watch commander.
- C. The detention supervisor will ensure that any prisoner who has indicated that he or she will attempt escape or assault is thoroughly searched before the prisoner is placed in a cell. If an officer of the same sex is unavailable to perform the search, one will be called in from off-duty.
- D. If the prisoner is transported to Court, the transport officer will notify the Judge of the prisoner's status.
- E. Risk notification will accompany the prisoner whenever he is transported between

facilities.

- F. Place all high-risk prisoners on active watch and check them at least once during every 20 minute period.

V. **SUICIDE RISK PRISONERS**

- A. Suicide risk prisoners are individuals who have indicated by their actions or words that they might try to kill or seriously injure themselves.
- B. The jail officer will complete a suicide screening form before placing the prisoner into his assigned cell. Any time a suicide risk prisoner is detected, the screening officer will immediately notify the detention staff on duty, the detention supervisor, and the watch commander.
- C. The detention supervisor will ensure that any prisoner who has indicated that he or she will attempt suicide is thoroughly searched before the prisoner is placed in a cell.
- D. An officer will continuously monitor any suicide risk prisoner. Never leave a suicide risk prisoner alone.
- E. If the prisoner is transported to Court, the transport officer will notify the Judge of the prisoner's status.
- F. A notice of risk notification will accompany the prisoner whenever he is transported between facilities.

VI. **MEDICAL PROCEDURES**

- A. If anyone discovers a prisoner in the detention center or any other part of the police facility which has become injured or sick to the point that emergency medical attention is necessary, he will render first aid and call for an LFD Ambulance. Always perform first aid. Do not assume an inmate is dead and do nothing while waiting for emergency medical service. Do not move inmates complaining of back or neck pain except for immediate safety, such as fire or other necessary evacuation.
 - 1. Appropriate techniques including proper use of first aid and officer safety equipment should be used to:
 - a. Clear the airway
 - b. Restore breathing
 - c. Stop bleeding
 - d. Treat for shock, and

e. Treat wounds

2. If the prisoner is admitted to a medical facility, the watch commander will arrange for security, if needed, until the prisoner is released. They will also ensure that prescribed medication for the prisoner is filled if a doctor has indicated that the medicine is immediately medically necessary, and a family member is unable to get the prescription for the prisoner.
3. If the charges pending against a prisoner, who is admitted to a medical facility are minor, the watch commander may arrange to file the charges "at large."
4. The detention officer must document the delivery of any medical service in the prisoner's detention record and notify the detention supervisor. This includes EMS service.

B. **During book-in, the booking officer will:**

1. Search the prisoner and inventory any medicine, pills, tablets, powders, liquids, or other substances found on the prisoner. List all medicine on the medical screening report.
2. Ask the prisoner if he is currently suffering from any illness or disability, or taking any medicine. List all conditions in the detention medical screen form.
3. Notify the detention staff on duty and detention supervisor of any medication requirements or medical conditions.

C. **The detention officer will:**

1. Ensure that prescribed medication is administered when due unless the inmate is intoxicated and the prescription indicates not to use with intoxicants. Administering of medicine or the inability to do so will be documented in the jail computer module.
2. Permit only medicine in a properly marked prescription container to be taken.

D. **The detention supervisor on duty will ensure that no one with the following conditions is placed in a detention area:**

1. Unconscious;
2. Uncontrolled bleeding;

3. Untreated broken bones; or
 4. Other illness or injury that requires professional medical attention before incarceration.
- E. The watch commander will make special provisions after a prisoner with one of the listed conditions has been treated at a medical facility. Provisions include transfer to a proper facility, release, or incarceration with special instructions.
- F. At shift change, the detention supervisor from the current shift will brief the on-coming supervisor on any non-routine inmates, to include suicide risk prisoners, high-risk prisoners, prisoners with special needs, and those with medical needs. The on-coming detention supervisor will review all detention records at the beginning of each shift.
- G. Prisoners on life support systems or oxygen equipment will not be confined in the Lewisville Detention Facility.
- H. Prisoners displaying signs of or stating they have infectious diseases will not be placed in a cell with another prisoner.
- I. All information concerning the medical condition of a prisoner must be treated confidentially. It will be disseminated only to those persons with a need to know in situations where knowledge of the medical condition is essential to the investigation of a criminal offense or the safe custody or proper medical treatment of the prisoner.

VII. SAFETY AND SECURITY

- A. Prisoner's Civil Rights - A peace officer or jailer commits an offense when:
1. He intentionally subjects a person in his custody to bodily injury knowing his conduct is unlawful.
 - a. He willfully denies or impedes a person in his custody in the exercise or enjoyment of any right, privilege, or immunity knowing his conduct is unlawful.
 - b. He engages in sexual intercourse or deviant sexual intercourse with an individual in custody.
- B. **Search of Prisoners**
1. The arresting officer will search any prisoner for weapons or contraband

before transporting him to the detention facility.

- a. The search shall be as thorough as possible considering circumstances.
- b. Officers of the opposite sex from the prisoner will avoid physical contact that could lead to accusations of sexual impropriety.
- c. Upon arrival at the detention facility, the officer will ring the call box for entry into the sally port and announce the number of inmates being brought in and the gender of the inmates.
- d. The prisoner will be searched a second time upon arrival at the City detention facility. This search should be conducted in the detention facility's safety vestibule off the Sally Port. When staffing permits, a detention officer will complete this search. If a detention officer does not meet the arresting officer in the vestibule, then it is the responsibility of the arresting officer to conduct this search. Whenever possible, this search will be conducted by an officer of the same sex as the prisoner. This search will be very thorough, aimed at locating weapons, escape tools, or contraband. During this search, the officer will take all property from the arrested person, excluding items of clothing. If the officer finds that the prisoner is wearing more than one pair of pants, more than one shirt, or more than one pair of socks, the officer will advise the detention staff of this fact. Upon leaving the safety vestibule, the detention staff will then take the prisoner directly to the change out room to recover these items of clothing. The inmate's property will then be turned over to the detention officer handling the prisoner's book-in.
- e. The prisoner will be searched a third time during their book-in, before being placed in an assigned cell. This search will be conducted by detention staff. This search will be thorough, aimed at locating any property (including contraband) that has yet to be discovered.
- f. If the prisoner was placed into a temporary holding cell after this third search, a fourth search of the prisoner would be conducted before housing him in an assigned dormitory or individual cell.

2. Strip searches will be permitted only when there is probable cause to believe the prisoner is concealing weapons or controlled substances, and there is no other way to retrieve the suspected items.

- a. A criminal history of narcotics, weapons or theft violations is not in

- itself probable cause for a strip search.
- b. The watch commander must approve any strip search.
 - c. An officer of the same sex as the prisoner will conduct any strip search. The search will be out of the view of members of the opposite sex and shall be done in the change out room. A strip search is one which results in the exposure of the prisoner's genitalia or the breasts of a female prisoner.
 - d. A strip search is not permitted to determine the sex of an inmate. If there is confusion over the inmate's gender, assign the inmate alone in a cell.
3. A body cavity search is defined as a thorough, visual and tactile search of an inmate's inner body cavities, to include the inmate's nose, ears, rectum, throat, and vagina (if female).
- a. Body cavity searches will be permitted only when there is probable cause to believe the inmate is concealing a weapon or a controlled substance, and there is no other way to retrieve the suspected items. A warrant is required for a body cavity search except in cases of extreme emergency or life-threat.
 - b. A body cavity search must be approved by the watch commander prior to the search.
 - c. A body cavity search shall only be conducted by a trained physician.
 - d. All body cavity searches will be documented by memo to the chief of police, with copies to the command staff, the detention coordinator and Civilian Services Bureau Manger.
4. Anytime an officer receives a prisoner from the detention facility for transport; the officer will search the prisoner before placing him in the transport vehicle.
5. Anytime an officer removes a prisoner from a cell for an interview, a detention officer will search the prisoner before placing him back in the cell.
6. Any detention staff member removing a prisoner from a cell for an interview will ensure that the prisoner's movement out of and back into the cell is documented in the detention computer.

C. Prisoner Restraint

1. If a prisoner is peaceful and cooperative, remove handcuffs at the time of book-in.
2. If a prisoner is combative or assaultive, keep the prisoner handcuffed during book-in. If the prisoner is using his legs to assault others or destroy property, secure the prisoner's legs with handcuffs, leg restraints, or the Wrap/Wrap Cart and notify the detention captain, if on duty, or the watch commander.
3. Do not attempt to book a prisoner who is assaultive or combative unless a back-up officer is present.
4. Remove all restraints from the prisoner before placing him in a cell unless such action would clearly subject officers or the prisoner to imminent bodily injury. If restraints cannot be safely removed, the booking officer will immediately notify the detention coordinator, if on duty, or the watch commander.
5. Do not enter a cell with a prisoner alone except to render first aid.. In the case of an assault or an aggressive prisoner, the detention officer will call for assistance.
 - a. If it is necessary to make repairs in a cell, remove all prisoners to other cells.
 - b. If a prisoner refuses to come out of a cell, do not approach the prisoner until a back-up is present to assist in removal.
6. Prisoners under the Influence of Drugs or Alcohol
 - a. Persons intoxicated on alcohol or drugs, especially cocaine, may be especially susceptible to respiratory or heart failure. Be alert to the following symptoms which may be a warning of the potential for substance-induced heart attack or respiratory distress:
 1. Unprovoked violent behavior
 2. Illogical attacks against glass objects such as windows, display cases, and CRTs.
 3. Unexplained nudity

4. Paranoia
 5. Unreasonable sweating
 6. Incoherent language (not in touch with reality)
- b. When a prisoner exhibits these symptoms or when there is reason to believe he is intoxicated on controlled or dangerous substances:
1. Notify the watch commander and transport the prisoner to the Emergency Room for evaluation as a drug overdose before going to the detention facility.
 2. Do not handcuff the prisoner's hands behind his back with the hands secured to his ankles.
 3. Do not permit the prisoner to lay on his left side or face down.
 4. Be especially observant for the cessation of breathing or cardiac arrest. (Obese people are at special risk.)
 5. Apply first aid techniques commensurate with your training if the prisoner's breathing or heart stops. Immediately request LFD Medics.
7. If a prisoner is striking the cell or any part of it with his legs, hands, arms, head, or any other body part to the extent that he is causing himself injury or damaging property, handle him as follows:
- a. If the prisoner is injured, give appropriate medical treatment.
 - b. Restrain the prisoner in the Wrap/Wrap Cart:
 1. Anytime a prisoner is restrained in this manner, notify the detention coordinator, if on duty, or the watch commander immediately.
 2. Designate the prisoner high risk and place an appropriate watch on him.
 3. Do not bind a prisoner's hands to his legs behind his back.

4. Carefully observe the physical condition of any prisoner who is obese, violent, or intoxicated.
 5. Do not place such prisoners on their stomach, especially if their legs or arms are restricted.
- c. Do not handcuff or fasten a prisoner to any bunk, fixture, or structural part of a cell or the building, without the approval of the detention coordinator, if on duty, or the watch commander.
 - d. If the prisoner has not stopped self-destructive behavior within an hour, the detention coordinator or watch commander should consider taking the prisoner to a medical facility for evaluation.

D. **Prisoner Visitation**

1. Visitors are not routinely permitted to see prisoners in the Lewisville Detention Facility. In special circumstances, the detention coordinator, if on duty, or the watch commander may approve visitors. Visitation will take place in the inmate side of the arraignment room. The detention officer will search the inmate prior to placing the inmate back in their cell.
2. Do not allow any visitor to give a prisoner any item unless it is inspected by the observing officer. If appropriate, place the item with the prisoner's property when the prisoner is returned to a cell.
3. The detention officer must remove a prisoner from a cell to meet with his attorney. Permit the meeting to take place in the inmate side of the arraignment room, under the observation of a detention officer. If an attorney insists on a private meeting, permit this request unless there is reason to believe the prisoner may pose a risk of assault or escape. A detention officer will search the inmate prior to returning them to their cell.
4. Only persons on authorized business or on approved and escorted tours may enter the detention facility. Tours may be approved only by the chief of police or an assistant chief. Advance approval is required for all tours.

E. **Cell Allocation**

1. After book-in, assign each adult prisoner to a cell. Common areas are considered cells.
 - a. Place intoxicated prisoners in a detoxification cell until they are sober.

- b. Do not mix male and female inmates in the same cell.
 - c. Do not assign an individual to the same area with a prisoner known to be assault risks or abusive.
 - d. Do not assign persons arrested in the same incident to the same area if further investigation is required to resolve the case.
 - e. The detention officer will classify prisoners. They will assign all who are not assault risks, suicidal, contagious, security risks, or habitual offenders to the common areas until that population becomes unsafe. After that, they will assign the remaining inmates to individual cells.
2. Do not bring juvenile detainees into the detention center. If a juvenile is brought into the main detention facility, the watch commander shall send a memo through the chain of command notifying the chief of the incident and detailing the reason (i.e. juvenile lied about age) and the total time the juvenile was in the detention facility.

F. **Jail Inspections**

1. **Normal Checks**

- a. **Make routine jail checks at least once during each one hour period.**
- b. **Make checks at random times to avoid establishing a pattern.**

2. **High Risk Checks**

- a. **Check high-risk prisoners at least once during every twenty minute period. This is classified as an active watch.**
- b. **Make checks at random times to avoid establishing a pattern.**

3. **Suicide Risk Monitoring**

- a. Monitor suicide risk prisoners continuously.
- b. The officer assigned to monitor a suicide risk prisoner continuously must be the same sex as the prisoner.
- c. If an inmate screens as a suicide risk, place an alert on their name for

future book-in information.

- d. Screen each prisoner for suicide potential at the time of book-in. Staff should note any alerts for previous issues with an inmate and take this into consideration when determining the inmate's monitoring status. When a prisoner is identified as a suicide risk, all detention staff on duty will be notified.
- e. If an intoxicated prisoner is classified as a suicide risk, he may be re-classified after sobering. He may then be handled in accordance with the results of the second classification.

4. Staffing Considerations

- a. In the absence of the detention coordinator, the detention supervisor in consultation with the watch commander shall assign additional personnel as necessary to ensure appropriate jail checks (i.e. police officers.)
- b. If the desk officer is to be used for continuous monitoring of a suicide risk, the detention coordinator or watch commander will assign another person to operate the front desk.
- c. The watch commander will not assume desk duties because this would inhibit his ability to manage the overall operations of the shift.
- d. Overtime is authorized to ensure meeting all detention facility monitoring requirements.

G. **Detention Facility Cleanliness**

- 1. Encourage each inmate to maintain the cleanliness of his area.
- 2. The detention officer shall remove all food and trash as soon as practical.
- 3. Prisoners will not be placed in cells with the following conditions:
 - a. Non-functional toilets or drinking facilities
 - b. Standing water or body fluids, or
 - c. Electrical or mechanical hazards

H. Fire or Smoke in the Detention Facility

When a fire has been confirmed in the detention facility or when hazardous smoke has been detected, the person making the discovery will:

1. Immediately contact the Communications Center
 - a. Request the fire department
 - b. Request notification of the watch commander
 - c. Request assistance from all available police and detention officers on-duty
2. Attempt to extinguish the fire with available equipment, if possible. Evacuate the detention facility immediately if the fire cannot be immediately extinguished or fire, smoke or fumes threaten the welfare of the inmates or detention staff.
3. The Watch Commander will
 - a. Utilized available officers to secure a perimeter at the exit point of the detention facility
 - b. Officers will utilize the transport van and cars equipped with prisoner partitions to secure inmates.
4. Evacuate the Detention Facility
 - a. Protection of life takes precedence over all other concerns.
 - b. With a set of keys, a detention officer will confirm that all occupied cell doors are unlocked and the inmates have exited.
 - c. Print a current inmate roster, if conditions allow it to be accomplished safely.
 - d. Assist inmates in exiting the detention facility.
5. Move the inmates to the east edge of the parking lot, if sufficient vehicles are not available
 - a. Secure the inmates with handcuffs and leg restraints as soon as practical.

- b. In the event the east side of the parking lot is unavailable, select another safe location away from fire fighting operations.
 - c. Conduct an inmate roll call and report any missing inmates to the fire commander and give the last known location of the inmate.
 6. All actions should be quick and decisive without panic or confusion. Such behavior will provide an extra measure of security.
 7. Securing Inmates
 - a. In the event inmates may not be returned to the detention facility, contact area agencies to determine if they can accept the inmates until they can be released or transferred to county or other designated location.
 - b. Inmates held only on Lewisville Class C charges may be released on City Personal Recognizance Bonds or citations.
 - c. Eligible inmates will be transported to Denton County Sheriffs Office as soon as practical.
 - d. Inmates with warrants from other jurisdictions will be released to the proper agency.

I. Weapons

1. Weapons are not permitted in the detention facility unless the use of such weapons is immediately necessary to protect life or prevent serious bodily injury. Tasers are authorized by employees certified to carry them.
2. Use weapons in the jail only in accordance with General Order 4.1, USE OF FORCE.
3. During normal detention facility operations, remove all prohibited weapons before entering the detention facility. Store firearms in the lock boxes provided for this purpose at the entrances of the detention facility.

VIII. MANAGEMENT OF INMATE PROPERTY

The detention officer will inventory all personal property from all adult prisoners.

- A. Log the property on the jail record.

- B. Ask the prisoner to sign for the property when it is taken and when it is returned.
- C. Secure all prisoner property.
- D. Permit the prisoner to wear only one underwear, one pair of socks, two shirts and one skirt or pair of pants in a cell. Remove belts, boots, shoes, all jewelry, combs, barrettes, and similar articles from the prisoner. Remove eyeglasses unless they are essential to the vision of the prisoner.

IX. PRISONER IDENTIFICATION

The detention supervisor will take reasonable action to ensure that all prisoners are properly identified while in custody. Anyone discovering a discrepancy in identification will notify the detention supervisor.

- A. Take a book-in image containing a front view of all prisoners.
 - 1. If the inmate wears glasses, the first photo should be a frontal photo with the inmate wearing glasses. A second photo should be taken of the inmate without glasses.
 - 2. Take a photo of the inmates right profile then left profile without glasses.
- B. Fingerprint each prisoner.
- C. Check photo identification in the prisoner's property to verify his identity.
- D. If a discrepancy occurs, or if for any reason the prisoner's identity is in question, attempt to identify the prisoner before his release.
 - 1. Check photos and prints against local records.
 - 3. Conduct additional interviews with the prisoner.
 - 4. Check prints through AFIS, if available.
 - 5. Check inmate's tattoos against the CCH return

X. PRISONER PHONE CALLS

- A. Permit prisoners to make a free phone call after book-in. Also, issue the prisoner a PIN for cell phone use unless an investigator requests otherwise pursuant to an active investigation.

- B. Allow prisoners to make a free phone call as soon as practical after arraignment.

XI. DOCUMENTATION

- A. The detention officer will make sure all documents are completed before prisoner transfer or release and provide them to the transporting or releasing officer.
- B. Any officer transporting or releasing a prisoner will ensure positive identification before moving the prisoner. The officer will:
 - 1. Match the name on the transfer documents with the name on the detention facility assignment record.
 - 2. Match the prisoner with any photo identification in the prisoner's property.
 - 3. Match the prisoner with the Jail I.D. image.
- C. When a prisoner is moved, the transporting officer will carry a copy of the applicable warrants and forms required by the receiving agency.

XII. JAIL ESCAPE

- A. If a prisoner escapes from detention facility, the person discovering the escape will:
 - 1. Request any medical assistance required;
 - 2. Provide the best possible description of the escapee to Communications;
 - 3. Give the direction in which the escapee fled;
 - 4. Use all reasonable means to recapture the prisoner; and
 - 5. File an offense report.
- B. Communications will:
 - 1. Dispatch back-up units and any other requested aid;
 - 2. Broadcast a description of the escapee over LPD radio channels;
 - 3. Send an area-wide teletype message with the escapee's description; and

4. Notify the watch commander.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.11

**SUBJECT: POLICE RESPONSE DURING
DISEASE OUTBREAK**

**DATE OF ISSUE:
03/16/20**

POLICY

The purpose of this general order is to address the threat of a disease outbreak and the police department's response to the disease outbreak to best protect the health and safety of the members of the Lewisville Police Department and the community members we serve. The Chief of Police has the discretion to apply this general order to any outbreak that spreads rapidly and causes substantial illness and death.

The City will take the following actions based on the current Denton County Public Health Outbreak Response Level. The City Manager or the Emergency Administration Manager can escalate any listed response as deemed necessary due to the assessed risk.

PROCEDURE

I. DEFINITIONS

- A. Exposure – Denton County Public Health will determine exposure based on contact tracing and will notify the City if an exposure has occurred.
- B. Workplace Exposure – Exposure as defined above that can be contact traced back to an employee's scope of work.
- C. Quarantine – Separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick, with the number of days of quarantine determined by the Center for Diseases Control.
- D. Isolation – Mandatory restriction prevents a person who has tested positive for a contagious disease from leaving their designated place of isolation. For those who are severely ill, isolation would be at a hospital or medical center. Those who are infected but not seriously ill, can self-isolate at home under the supervision of the Denton County Health Department.

II. DEPARTMENT OPERATIONS DURING LEVEL I

- A. Department will follow directives that are detailed in City of Lewisville Administrative Directive 2.12.11.
- B. Employees will keep workspaces disinfected to help prevent any spread of disease.
- C. Supervisors will monitor employees and send employees home that are displaying symptoms associated with the disease outbreak. The Chief of Police will be notified of any instance.
- D. Communications, at the direction of Denton County Health Department, will enter an alert in the Computer Aided Dispatch software associated with the address of a person quarantined. The alert shall include instructions and precautions required prior to entry. This information is protected by HIPPA and shall remain confidential. Officers will not enter any address with these alerts until cleared by the Lewisville Fire Department and only with (PPE) Personal Protective Equipment.
- E. Jail will begin pre-screening inmates and taking temperatures prior to entry into the jail. Jail staff will abide by Detention Procedural Order D-7.4 if an inmate shows signs or symptoms of having a communicable disease.
- F. Department will cancel ride-outs.
- G. Community meetings, demonstrations, and other gatherings (crime watch meetings, facility tours, coffee with cops, CPA, Cadet meetings, etc.) will be canceled, unless officers are present for public safety or security.
- H. Fingerprint Services for the public will be canceled.
- I. Disinfection Station will be set up in the jail sally port. All police vehicles will be disinfected at the beginning of the shift and after every transport.
- J. Employee's temperatures will be taken as they report for duty.
- K. Shift briefings shall only take place if the employees can practice social distancing and the wearing of face masks or shields are required. The briefing room must be disinfected after use.
- L. Public's access to the police department will only be granted, if deemed essential.

- M. Attendance for training classes will be restricted to maintain social distancing. Attendance numbers will be determined by the Training Sergeant. Training rooms shall be disinfected after each session.

III. DEPARTMENT OPERATIONS DURING LEVEL II

- A. Department will follow directives that are detailed in City of Lewisville Administrative Directive 2.12.11.
- B. All previous restrictions will remain in place and may be expanded at this level.
- C. Officers will use discretion on whether to confirm on Class C warrants. Communications will not confirm on other agency requests for confirmation on Lewisville Class C warrants unless there are multiple warrants.
- D. Property offenses will only be taken by phone.
 - 1. Victims may email photos that document the crime.
 - 2. A complainant's email to an officer will suffice as a written statement.
- E. Officers will only respond to crashes that have road blockage or injuries. Reports will only be generated for injury crashes. Officers will assist parties with the exchange of required information.
- F. Common interior doors shall be propped open to prevent cross-contamination on door handles. Employees with private offices are encouraged to close their doors to help prevent any spread of disease.
- G. All training classes will be canceled.
- H. All Off-Duty Police employment will be canceled unless specifically approved by the Chief of Police. Employees must obtain approval from the Chief of Police for any off-duty employment they wish to continue during the disease outbreak. This request should be made via email. The following are pre-approved:
 - 1. Medical City Lewisville
 - 2. Apartment Courtesy Officer
 - 3. City Council Security
 - 4. Castle Hills Patrol

- I. Communications will ask all complainants, which will require a police response, health screening questions to determine if there is a risk of disease spread.
- J. All work-related travel, outside of the City, will be cancelled with the exception of investigation or prisoner transportation.
- K. Officers are encouraged, where appropriate, to issue citations for Class C offenses, in lieu of arrest.
- L. Limit personal contact while conducting business in the Police Department lobby.
- M. Volunteers will be restricted from aiding in the police facility, with the exception of responding to Ashton's Room calls. Volunteers are also restricted from patrolling in the COP vehicle.
- N. Shift briefings are canceled. Information will be relayed via email.

IV. DEPARTMENT OPERATIONS DURING LEVEL III

- A. Department will follow directives that are detailed in City of Lewisville Administrative Directive 2.12.11.
- B. All previous restrictions will remain in place and may be expanded at this level.
- C. The Chief of Police will determine what staff is essential to operations. Employees not working shifts may be separated into work groups to minimize exposure and for continuity of operations.
- D. The Police Department lobby will be closed to the public. The Jail lobby will allow entrance to those that have business with the jail staff. Temperature checks will be required for admittance.
- E. Officers are encouraged, where appropriate, to suspend all misdemeanor arrests, except for offenses involving Family Violence or offenses in which arrests are mandated in the Code of Criminal Procedure. The Watch Commander may approve an arrest if needed to ensure public safety.
- F. Communications will not confirm on other agency requests for confirmation on Lewisville misdemeanor warrants.
- G. All offense reports will be filed by phone, unless they are in progress and public safety is at risk.

- H. All prisoners, except Class C, will be transferred to the Denton County jail, as soon as possible.
- I. Command staff may be broken into work groups to ensure continuity of operations.
- J. Property and Evidence will only return property to the public by appointment only.
- K. All personnel may be assigned alternate schedules to ensure staffing.
- L. Employee movement within the police facilities will be restricted to prevent cross-contamination.
- M. Sworn Support personnel (with the exception of CID) may be temporarily assigned to the Patrol Division.
- N. Department-wide work groups will be deployed to ensure the continuity of operations.
- O. Employees are prohibited from entering Records and Property/Evidence. Requests should be made by phone or email.

V. DEPARTMENT OPERATIONS DURING LEVEL IV

- A. Department will follow directives that are detailed in City of Lewisville Administrative Directive 2.12.11.
- B. All previous restrictions will remain in place and may be expanded at this level.
- C. Officers will only respond to public safety crimes.
- D. Officers are encouraged, where appropriate, to only arrest suspects for violent crimes and crimes of public disorder, such as rioting, looting, etc. The Watch Commander may approve other arrests on a case-by-case basis.
- E. The Chief or an Assistant Chief will likely be on-duty 24 hours a day, 7 days a week.
- F. All sworn personnel will likely be assigned alternate schedules (12 on, 12 off) to ensure staffing.
- G. Only essential, non-sworn staff will work.

VI. GENERAL PROVISIONS

The Chief of Police reserves the right to change, modify, amend, revoke, or rescind all or part of this directive at any time.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.12

SUBJECT: COMMUNICABLE DISEASE PREVENTION

**DATE OF ISSUE:
10/01/01**

POLICY

The purpose of this policy is to provide guidelines for police employees in limiting or preventing exposure to bloodborne pathogenic diseases.

PROCEDURE

I. COMMUNICABLE DISEASE PREVENTION

- A. Employees shall wear disposable gloves when handling any person, clothing or equipment with body fluids on them or any time body fluids are present.
- B. Employees shall wear masks, protective eyewear and gowns/coveralls where a risk of splashing body fluids on the employee exists.
- C. Plastic mouthpieces or other authorized barrier resuscitation devices shall be used whenever an employee performs CPR or respiratory resuscitation.
- D. Employees shall handle all sharp instruments such as knives, scalpels, and needles with extraordinary care and potentially infectious.
 - 1. Employees shall not place their hands in areas where sharp instruments might be hidden. In the course of a lawful search, the suspect can be asked what is contained in the hidden area or to empty pockets.
 - 2. Needles shall not be recapped, bent, broken or removed from a disposable syringe. Handle needles as little as possible.
 - 3. For evidentiary purposes, needles should be photographed and disposed of in a sharps container.
 - 4. Officers will not smoke, eat, drink, or apply cosmetics near body fluid spills.
 - 5. Employees should thoroughly wash their hands after removing disposable gloves, after contact with a potentially infected article or person and before smoking, eating, drinking or applying cosmetics.

II. INFECTION CONTROL SUPPLIES

- A. Infection control supplies will be maintained in the jail, in patrol supervisors' vehicles and by on-duty officers within their marked vehicles. Supplies will include:
1. Infection Control kit consisting of:
 - a. Blood/body substance barriers;
 - b. Disposable latex or vinyl gloves (for use during direct body or body fluid contact);
 - c. Packaged alcohol or germicide wipes;
 - d. CPR barrier equipment;
 - e. Goggles; and
 - f. absorbent towels
 2. Clean up kit consisting of:
 - a. 2 pairs of disposable vinyl gloves for use during direct contact with body fluid spills,
 - b. Disposal containers including one red disposable bag (1.5 mil) marked "contaminated";
 - c. Liquid disinfectant; and
 - d. absorbent towels
- B. Supplies and equipment must be readily accessible by being:
1. Clearly identified for intended use;
 2. Placed in areas of potential need;
 3. Placed in locations within easy reach of personnel; and

4. Stored in containers that are easily opened.
- C. Training of each employee, contractor, subcontractor, or volunteer in the proper use and location of infection control supplies and equipment will be documented by the training coordinator.
- D. Disposal of all regulated waste shall be in accordance with applicable federal, state, and local regulations.
 1. Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are closable, puncture resistant, leak-proof on sides and bottom, and labeled or color-coded.
 2. Other regulated waste shall be placed in containers that are closeable, constructed to contain all contents, and will prevent leakage of fluids during handling, storage, transportation, or shipping. All waste containers shall be labeled or color-coded and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
- E. Laundry contaminated with blood, or other potentially infectious materials shall be handled as little as possible. Such laundry shall be placed in appropriately marked bags (biohazard labeled or color-coded bags) at the location where it was contaminated. Contaminated laundry shall not be sorted or rinsed in the area of contamination. The contaminated laundry at the City of Lewisville shall be cleaned at Central Fire Station. (City of Lewisville Safety Manual, Chapter 14, section V, D)

III. EQUAL ACCESS TO SUPPLIES

The Department will provide equal access to appropriate services for all persons in custody or care of the Department. Access to services includes:

- A. Prompt access to testing/evaluation services if significant medical conditions or assaults are claimed;
- B. Prompt referral/access to medical or dental care provider;
- C. Prompt and accurate dispensing of prescription medication;
- D. Prompt administration of proper first aid techniques to control a condition until referral or transport can be achieved; and
- E. Prompt transport to a medical or health-care facility when required.

IV. CONFIDENTIALITY OF MEDICAL INFORMATION

All medical information concerning prisoners or complainants must be treated confidentially (this includes information about illness and communicable diseases). It will be disseminated only to those persons with a need to know in situations where knowledge of the medical condition is essential to the investigation of a criminal offense or the safe custody of a prisoner.

V. OCCUPATIONAL EXPOSURE

- A. An occupational exposure occurs in the course of the employee's duties he suffers a percutaneous injury (i.e. a needle stick or cut with a sharp object), contact of mucous membrane or non-intact skin (i.e. when the exposed skin is chapped, abraded or afflicted with dermatitis), or contact with intact skin when the duration of the contact is prolonged (i.e. greater than several minutes) or involves an extensive area, with blood, tissue, or other body fluids. Body fluids include blood, mucous, urine, feces, tears, sweat, human breast milk, semen, vaginal secretions, saliva, cerebrospinal, synovial, pleural, peritoneal, pericardial, and amniotic fluids.
- B. The Fire Department's Emergency Medical Services Division Chief as the City's Bloodborne Pathogen Program Administer may also determine occupational exposure.
- C. The Fire Department's Emergency Medical Services Division Chief as the City's Bloodborne Pathogen Program Administer oversees post-exposure and follow-up for all employees with an occupational exposure. (City of Lewisville Safety Manual, Chapter 14, section VI, D)
- D. Employees are responsible for employing proper work practices, universal precautions, personal protective equipment and cleanup/disposal techniques. Employees are also responsible for reporting all exposure incidents via their supervisor to the Emergency Medical Services Division Chief immediately.

VI. SEGREGATION/ISOLATION OF PRISONERS

- A. Decisions involving the medical segregation/isolation of prisoners will be based on certain observed behaviors or medical conditions of the person:
 - 1. Sharing intravenous needles, syringes, or other sharp instruments used to purposely penetrate the skin;
 - 2. Having open, not scabbed wounds or weeping dermatitis; or

3. Having highly contagious medical conditions such as tuberculosis, measles, or other air-borne diseases.
- B. Assumed conditions such as sexual orientation, perceived drug use, or perceived medical conditions are not valid reasons for segregation/isolation.
 - C. Claims of contamination of environmental surfaces (walls, floors, furniture, etc.) will not be used in deciding to segregate/isolate.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.13

SUBJECT: RIDERS IN POLICE VEHICLES

**DATE OF ISSUE:
10/01/01**

POLICY

The Department permits selected citizens to ride with on-duty police officers to gain better understanding of the police service. The objective of the program is to provide opportunities for both police officers and citizens to share positive ideas concerning police-community relations. Certain restrictions apply to enhance safety and limit the City's liability.

PROCEDURE

I. ELIGIBILITY

- A. Only persons on official business are authorized to ride in police vehicles. Rides for stranded motorists, individuals in need of assistance, complainants, witnesses, and suspects are permitted.
- B. On duty law enforcement officers from other agencies may ride in LPD vehicles in performance of their duties and are not considered observers.
- C. The following persons are permitted to ride in LPD police vehicles as observers, but must have the permission of the Chief of Police or his/her designee, prior to observing:
 - 1. Members of the Lewisville City Council, including the Mayor (twice per calendar year);
 - 2. Members of the City Manager's office and other City departments in their official capacity;
 - 3. LPD Chaplains (once per calendar year);
 - 4. Graduates of the adult LPD Citizen's Police Academy (once upon graduation);
 - 5. Participants in the LPD Citizen's Police Academy as part of scheduled training;
 - 6. Active members of the LCPAAA (twice per year);

7. Qualified members of the LPD Cadet Program Unit;
 8. Non-sworn LPD employees who are on-duty and assigned to ride for training purposes;
 9. Others in order to enhance accomplishment of the Department's mission, public relations or police recruitment.
- D. The Chief of Police may, at his sole discretion, withhold or cancel approval of any person's eligibility for the ride-out privilege, even if they might otherwise be eligible per the above criteria. Reasons for withholding or canceling approval may include, but are not limited to the following:
1. An individual's failure to follow the procedures outlined herein.
 2. An individual's failure to follow instructions of a police officer during a ride-out.
 3. An individual's actions which tend to endanger the safety of the rider, other citizens, or the officer.
 4. An individual's actions which interfere with the execution of the police officer's duties, such as: talking to suspects, victims, or witnesses; handling evidence; disturbing, altering, or damaging a crime scene; or, creating a disruptive environment or distracting the police officer by word or action at inappropriate times.
 5. Anything in an individual's background or personality which would cause the Police Chief to believe any of the above is likely to occur.

II. RELEASE OF LIABILITY

- A. Each person other than on-duty law enforcement officers must sign an "LPD Release of Liability" form before riding.
- B. Riders under 18 years of age must have their parents or guardians sign the "Release of Liability."

III. SAFETY AND SECURITY

- A. Officers will not permit observers to view CJIS information unless the observer is CJIS certified.

- B. Observers are not permitted to carry or handle firearms unless they are regular full-time, law enforcement officers currently authorized to carry firearms by their employing agency.
- C. Observers will remain in police vehicles during traffic stops and calls for service unless the assigned officer directs them to exit for safety considerations.
- D. Officers assigned observers will control the activities of those observers to maximize safety.
 - 1. Officers may direct observers to remain in police vehicles.
 - 2. Officers may direct observers to get out of police vehicles.
 - 3. Officers will not permit observers to handle evidence or talk to suspects, victims, or witnesses.
- E. Individuals who have arrest records for felonies or who are habitual offenders as determined by the watch commander will not be allowed to observe.
- F. Officers must control behavior of observers and terminate riding privileges of any observer who will not comply with instructions, follow these rules and procedures, or behave safely.
- G. Observers are not permitted to participate in high risk or search warrant service.
- H. Observers may not operate LPD vehicles or equipment except in emergencies as directed by a police officer.

IV. OFFICERS FROM OTHER AGENCIES RIDING AS OBSERVERS

Officers from other agencies who are not acting in the line of duty on behalf of their agency will comply with the following:

- A. They may not wear their agency uniform.
- B. Except in emergencies, they are not permitted to engage in any operation which would require them to identify themselves as police officers, use force, or make arrests.
- C. They are not permitted to assist in building searches or searches for suspects.

- D. They may carry firearms if they are currently authorized by their department to carry those firearms.
- E. They must conform with all other applicable requirements of this directive.

V. OPERATIONAL RESTRICTIONS

- A. Observers must obtain approval from the watch commander on the shift the ride-out is requested for each ride-out.
- B. The watch commander will schedule observers for a ride-out and assign them to a police officer, unless the ride-out is arranged by the LPD Citizen Police Academy Training Coordinator or the LPD Cadet Program Coordinator.
- C. The watch commander will log each ride-out by name and date.
- D. An observer may ask to ride-out with a particular officer or request a change in officer assignment, but police command personnel will make final determination of observer assignments to police officers.
- E. Observers under the age of 18 are not allowed to ride from 2300 to 0600 on any day.
- F. Observers are not permitted to enter any house, building, or other property from which the public would be excluded because of a police incident, when the owner of the premises indicates that they cannot enter, or in the service of a search warrant.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.14

SUBJECT: FAMILY VIOLENCE

**DATE OF ISSUE:
01/15/97**

POLICY

The nature and seriousness of crimes committed between family or household members are not mitigated because of the relationships or living arrangements of those involved. Officers will enforce the law while also serving to intervene and prevent future incidents of violence. Department objectives are to:

1. Reduce the incidents and severity of domestic violence;
2. Protect victims of domestic violence and provide them with support through a combination of law enforcement and community services; and
3. Promote officer safety by ensuring that officers are fully prepared to respond to and effectively deal with domestic violence situations.

PROCEDURE

I. DEFINITIONS

- A. Family member or household member means persons who:
 1. Are legally married to one another;
 2. Were formerly married to one another;
 3. Are related by blood;
 4. Are related by marriage;
 5. Have a biological or foster child in common;
 6. Are living together or who have lived together (whether or not they are related); or
 7. Are specified as such by state law.

B. Family violence means:

1. An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault or sexual assault, but does not include defensive measures to protect oneself;
2. Abuse, as that term is defined by Sections 261.001(1), (C), (E), and (G), by a member of a family or household toward a child of the family or household; or
3. Dating violence, as that term is defined by Section 71.0021 of the Texas Family Code.

II. COMMUNICATIONS RESPONSIBILITIES

The Communications operator who receives a family violence call can provide the responding officers with vital information that could save the victim's and the officer's life. Operator responsibilities are:

- A. Assign a family violence call the same priority as any other life-threatening call (Priority 1).
- B. Dispatch at least two officers whenever possible.
- C. Attempt to determine and relay the following information to responding officer:
 1. Location and description of the suspects;
 2. Specific details concerning weapons which are involved or stored in the house;
 3. Whether the suspect is under the influence of drugs or alcohol;
 4. Whether other persons are present, especially children;
 5. Whether anyone has a current protective order; and
 6. Incident history at that location.
- D. Never cancel police response to a family violence call because of a call-back from the residence requesting such cancellation.

III. **RESPONDING OFFICER RESPONSIBILITIES**

A. **Responding officer shall:**

1. **Restore order and take control of the situation;**
2. **Control all weapons used or threatened to be used;**
3. **Request medical attention if the need is indicated;**
4. **Interview all parties;**
5. **Arrest anyone when there is probable cause to believe the person has committed an assault resulting in bodily injury to another family member or household member;**
6. **Release children to an adult friend or relative of the parent's choice if the arrest will result in unattended children under the age of 17. (Complete Child Release Authorization Form);**
7. **Call Child Protective Services to take custody of the children if there are no suitable adults to care for the children;**
8. **Collect and record evidence including color photographs of injuries;**
9. **Complete an offense report which will include:**
 - a. **Names of the suspect and complainant;**
 - b. **Date, time and location of the incident;**
 - c. **Any visible or reported injuries; and**
 - d. **A description of the incident and a statement of its disposition.**
10. **Provide a department supplied written notice in English and Spanish providing information on:**
 - a. **Reasonable means to prevent further family violence;**
 - b. **Legal rights and remedies;**
 - c. **Availability of shelter or other community services for family**

violence victims; and

d. The officer will document providing the written notice in the report narrative.

11. Give the victim a copy of the offense report number;

12. Search the immediate area if the suspect has left the location to ensure there is no imminent threat and to arrest if applicable;

13. Refer the case to the investigative unit if no immediate arrest occurs.

B. Victim Assistance and Crime Prevention

Responding officers will:

1. Emphasize to the victim and offender that any arrest is initiated by the state, not the victim;

2. Advise all parties about the criminal nature of family violence, its potential for escalation, and that help is available;

3. Secure medical treatment for victims when needed;

4. Ensure the safety of children;

5. Remain at the location until satisfied that there is no threat to the victim;

6. Remain on the scene for a reasonable amount of time to preserve the peace while one person removes personal property;

7. Provide all persons involved with referral information for legal or social assistance; and

8. Assist the victim in obtaining a magistrate's order for emergency protection if the suspect is arrested and circumstances indicate a need for a Protective Order (Art.17.292 CCP). When an arrest is made, the arresting officer will complete the Victim Notification sheet to assist jail officers in contacting victims when the suspect is released.

IV. WATCH COMMANDERS RESPONSIBILITIES

- A. The Watch Commander is responsible for making the notifications required in Article 5.05 of the Code of Criminal Procedure, which include:
1. The Department of Family and Protective Services if the location of the incident or call, or the known address of a person involved in the incident or call, matches the address of a current licensed foster home or a verified agency foster home as listed in the Texas Crime Information Center.
 - a. The report under this subsection may be made orally or electronically and must be made within 24 hours and include:
 - i. The names of the complainant;
 - ii. The date, time and location of the incident;
 - iii. Any visible or reported injuries;
 - iv. A description of the incident and a statement of its disposition; and
 - v. Whether the suspect is a member of the state military forces or serving in the armed forces of the United States in an active-duty status.
 2. Written notice of the incident or disturbance call to the staff judge advocate at Joint Force Headquarters or the provost marshal of the military installation to which the suspect is assigned with the intent that the commanding officer will be notified, as applicable.
- B. Any offense report that is applicable in this section shall be coded with “CCP 5.05,” prior to the first sentence of the first paragraph.

V. VICTIM NOTIFICATION OF SUSPECT RELEASE

- A. Any officer completing an affidavit for the arrest of a person committing aggravated assault with a deadly weapon or serious bodily injury; offenses of family violence; sexual assault; aggravated sexual assault; or stalking shall complete the Denton County victim notification form. If the affidavit was prepared for an on-view arrest the notification form shall be submitted with the affidavit to the jail. If the affidavit is for an at-large affidavit the notification form shall be given to communications with the original warrant.
- B. The Detention Supervisor must make every reasonable effort to ensure the victim is notified of the release. This effort includes but is not limited to:

1. Instructing jail officers to make the telephone call. The officer should leave a message if no one answers;
 2. Instructing a patrol officer to make personal contact with the victim at home or place of employment; and
 3. Sending the Victim Notification sheet with an inmate transferred to another penal facility.
- C. Notification efforts must be documented on the victim notification form.

VI. PROTECTIVE ORDERS

- A. Any officer completing an affidavit for the arrest of a person committing aggravated assault with a deadly weapon or serious bodily injury; offenses of family violence; sexual assault; aggravated sexual assault; or stalking shall complete the TCIC data entry form for protective orders. If the affidavit was prepared for an on-view arrest the data entry form shall be submitted with the affidavit to the jail. If the affidavit is for an at-large affidavit the data entry form shall be given to communications with the original warrant.
- B. All copies of Protective Orders, including Emergency Protective Orders completed in the jail with the suspect in custody, and received by the department, will be personally delivered to the Communications Supervisor on duty, who will ensure they are filed and entered into the computer-aided dispatch system immediately.
- C. An officer will arrest any individual he observes violating a protective order issued in accordance with Section 25.07 of the Penal Code and Art. 17.292 of the Code of Criminal Procedure.
- D. If the person named in a protective order leaves before the officer arrives, the officer will file an offense report for violation of the protective order.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.15

SUBJECT: JUVENILE OPERATIONS

**DATE OF ISSUE:
10/01/01**

POLICY

Control of youth crime is a major goal for the Lewisville Police Department. Juvenile operations must conform to all applicable federal and state statutes and regulations.

PROCEDURE

I. DEFINITIONS

- A. "Child" has the meaning found in the Section 51.02 of the Family Code.
- B. "Delinquent Conduct" has the meaning found in Section 51.03 of the Family Code.
- C. "Child in Need of Supervision" has the meaning found in Section 51.03 of the Family Code.

II. RESPONSIBILITIES

- A. The primary responsibility for the investigation and disposition of incidents involving children and others regulated by the Family Code belongs to the Juvenile Section.
- B. All other operations units have important responsibilities for the control of crime committed by children.

III. AUTHORITY TO DETAIN OFFENDERS

- A. Officers are authorized to detain offenders in the following situations:
 - 1. Pursuant to a juvenile court order.
 - 2. Pursuant to the laws of arrest.
 - 3. When there is probable cause to believe a child has:
 - a. Violated a penal law of the state or any political subdivision of the state; or

- b. Engaged in delinquent conduct or conduct in need of supervision (defined in the Family Code).
 - c. A seventeen year old may still be considered a “child” under circumstances outlined in the Family Code under Section 151.001.
- B. Officers may take a child into protective custody if there is no time to obtain a court order under the following conditions, only (Section 262.104, Family Code):
- 1. On personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child;
 - 2. On information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child;
 - 3. On personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that the child is a victim of sexual abuse;
 - 4. On information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse; or
 - 5. On information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the parent or person who has possession of the child is currently using a controlled substance as defined in Chapter 481, Health and Safety Code, and the use constitutes an immediate danger to the physical health or safety of the child.
 - 6. On personal knowledge or information furnished by another, that has been corroborated by personal knowledge, that would lead a person of ordinary prudence and caution to believe that the parent or person who has possession of the child has permitted the child to remain on premises used for the manufacture of methamphetamine.

IV. DETENTION PROCESSING

- A. Release the child to a parent or legal guardian without bringing him to the station whenever possible and complete the detention report in the field.
- B. If release is not possible, bring the child to the police station by the most direct route.
- C. Process the child in a designated, non-secure juvenile processing office.

- D. The child must be in the presence of an adult department employee at all times.
- E. Do not detain the child longer than six hours.
- F. Take the child to the Denton County Juvenile Detention Center as soon as possible if he cannot be released at the police station, unless the child is an un-emancipated seventeen year old.
- G. Do not lock the child in any room.
- H. Do not secure the child to any furniture or fixture.
- I. Never take the child into the jail except for intoxilyzer processing.
- J. Keep the child separated from sight and sound of adults in custody at all times.
- K. Do not photograph or fingerprint a child unless authorized by this directive.

V. INVESTIGATIVE PHOTOGRAPHS AND FINGERPRINTS

- A. Photographs and Fingerprints of Children (Sec. 58.002, Family Code)
 - 1. Except as provided by Chapter 63, Code of Criminal Procedure, a child may not be photographed or fingerprinted without the consent of the juvenile court unless the child is taken into custody or referred to the juvenile court for conduct that constitutes a felony or a misdemeanor punishable by confinement in jail.
 - a. On or before December 31 of each year, the head of each municipal or county law enforcement agency located in a county shall certify to the juvenile board for that county that the photographs and fingerprints required to be destroyed under Section 58.001 have been destroyed. The juvenile board shall conduct or cause to be conducted an audit of the records of the law enforcement agency to verify the destruction of the photographs and fingerprints and the law enforcement agency shall make its records available for this purpose. If the audit shows that the certification provided by the head of the law enforcement agency is false, that person is subject to prosecution for perjury under Chapter 37, Penal Code.
 - b. This section does not prohibit a law enforcement officer from photographing or fingerprinting a child who is not in custody if the

child's parent or guardian voluntarily consents in writing to the photographing or fingerprinting of the child. This section does not apply to fingerprints that are required or authorized to be submitted or obtained for an application for a driver's license or personal identification card.

- c. This section does not prohibit a law enforcement officer from fingerprinting or photographing a child as provided by Section 58.0021 or 58.0022 of the Family Code.

VI. WRITTEN STATEMENTS

- A. Take all written statements from a child suspect before a magistrate as required by the Family Code.
- B. Statements from child witnesses are taken in the same manner as any other witness.

VII. JUVENILE RECORDS IN GENERAL

- A. The Records Section maintains the juvenile detention records and the Juvenile Justice Information System (DPS) fingerprints and photos. They are filed separately from adult files.
- B. The Juvenile Section maintains and processes records concerning the First Offender Program.
- C. No other employee or unit in the department is authorized to keep files concerning children.

VIII. CRIMINAL COMBINATION AND CRIMINAL STREET GANG INTELLIGENCE DATABASE (CCCSGID)

- A. Officers will use field interview cards or memoranda to submit information to the gang unit for possible entry into the CCCSGID.
- B. To be entered into the CCCSGID, criminal information collected relating to a criminal street gang must be relevant to the identification of an organization that is reasonably suspected of involvement in criminal activity; and consist of:
 - 1. A judgment under any law that includes, as a finding or as an element of a criminal offense, participation in a criminal street gang;
 - 2. A self-admission by the individual of a criminal street gang membership that

is made during a judicial proceeding or;

3. Any two of the following criteria; with the exception that (d) and (g) cannot be used together unless they are used with another subparagraph of this subsection:
 - a. a self-admission by the individual of criminal street gang membership that is not made during a judicial proceeding, including the use of the internet or other electronic format or medium to post photographs or other documentation identifying the individual as a member of a criminal street gang;
 - b. an identification of the individual as a criminal street gang member by a reliable informant or other individual;
 - c. a corroborated identification of the individual as a criminal street gang member by an informant or other individual of unknown reliability;
 - d. evidence that the individual frequents a documented area of a criminal street gang and associates with known criminal street gang members;
 - e. evidence that the individual uses, in more than an incidental manner, criminal street gang dress, hand signals, tattoos, or symbols, including expressions of letters, numbers, words, or marks, regardless of how or the means by which the symbols are displayed, that are associated with a criminal street gang that operates in an area frequented by the individual and described by Subparagraph (iv) of Article 61.02;
 - f. evidence that the individual has been arrested or taken into custody with known criminal street gang members for an offense or conduct consistent with criminal street gang activity;
 - g. evidence that the individual has visited a known criminal street gang member, other than a family member of the individual, while the gang member is confined in or committed to a penal institution;
or
 - h. evidence of the individual's use of technology, including the Internet, to recruit new criminal street gang members.

C. CCCSGID Integrity

1. Officers assigned to the gang unit will evaluate all information submitted for the CCCSGID file to ensure there is reasonable suspicion.
 - a. Reasonable suspicion must be clearly documented by source documents.

- b. Wearing "gang-style" clothing or "flashing gang signs" without corroboration is not reasonable suspicion for entry of data into the CCCSGID.
2. Information contained in CCCSGID may be released only for criminal justice purposes and only to:
 - a. A criminal justice agency
 - b. A court, or
 - c. A defendant in a criminal proceeding who is entitled to the discovery of the information under Chapter 39, or his attorney when authorized by the court.
3. Unauthorized use or release of information contained in the CCCSGID is a Class A misdemeanor.

IX. JUVENILE JUSTICE INFORMATION SYSTEM

- A. Officers should fingerprint and photograph children who have been detained on offenses which are Class B misdemeanors or higher.
- B. Records will file and index the detention reports in the following manner:
 1. Hold the prints and photos for 10 days,
 2. File the prints and photos if the CIS confirms the case has been filed with the court within 10 days,
 3. Destroy the prints and photos if filing confirmation has not been received within 10 days,
 4. Report to the Chief of Police by memo each time a child's prints or photos are destroyed because of the 10-day time limit. Copy the Patrol and Support Bureau Commanders.

X. DESTRUCTION OF JUVENILE RECORDS

- A. By December 31 of each year, the Records Supervisor or his designee must:
 1. Certify by memo to the Chief of Police that all photos and fingerprints taken

for the Juvenile Justice System (DPS) in the previous 12 months have been submitted or destroyed in accordance with the Family Code.

2. All references to a child in the CCCSGID have been destroyed if that child has not been charged with an offense during the 24 months after entry of the child's name into the CCCSGID.
 3. All investigative photos and fingerprints of children taken in the previous 12 months have been forwarded to the court or destroyed in accordance with the Family Code.
- B. The Records Section disposes of detention records as directed by the juvenile court.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.16

SUBJECT: CHILD ABUSE INVESTIGATION

**DATE OF ISSUE:
01/15/96**

POLICY

Abuse of children is a grave affront to civilization. Frequently, the individual police officer is the only person who stands between a child and mistreatment or torture. The Department will vigorously investigate allegations of child abuse and protect victims whenever possible.

PROCEDURE

I. PROTECTION OF THE CHILD IS PARAMOUNT

- A. An officer will take possession of a child if there is an immediate danger to his health or physical safety.
- B. The officer will bring the child to the police station or to an appropriate medical facility and notify Child Protective Service of the Texas Department of Human Services.
- C. An agent of Child Protective Services will arrange foster care for the child if the agent determines that it is needed.

II. ALL ALLEGATIONS OF CHILD ABUSE WILL BE INVESTIGATED

- A. Categories of child abuse:
 - 1. Physical injury to the child,
 - 2. Sexual assault of the child,
 - 3. Emotional mistreatment of the child, and
 - 4. Physical neglect of the child.
- B. In instances of physical injury or sexual assault, an officer will make arrests of suspects in accordance with laws of arrest.
- C. In instances of emotional mistreatment and physical neglect, officers will file an offense report which will be forwarded to the Criminal Investigation Section.

III. CRIMINAL INVESTIGATION SECTION WILL:

- A. Investigate child abuse offenses and file appropriate charges;
- B. Coordinate child abuse investigations with the Child Protection Services; and
- C. Assist other elements of the Department with child abuse investigation.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.17

**SUBJECT: DEATH INVESTIGATION
INITIAL RESPONSE**

**DATE OF ISSUE:
01/15/95**

POLICY

The Department will thoroughly investigate all reported deaths to determine if the death is criminal, accidental, or natural. In performing death investigations, the Department will render the greatest respect possible to the deceased and survivors.

DEFINITIONS

I. NATURAL DEATH

- A. A death that occurs with no signs of foul-play; and
- B. Is reported by a physician, nurse (including Hospice), or hospital employee who was present and states the death is natural.

II. UNEXPLAINED DEATH

- A. A death that occurs with no signs of foul-play;
- B. Is not attended by a physician, nurse, (including Hospice), or hospital employee; and
- C. There may be a medical explanation for the death.
 - 1. Known medical condition that could cause a death.
 - 2. Terminal disease.
 - 3. Recent discharge from hospital facility.
 - 4. Other complications due to medical issues.

III. SUSPICIOUS DEATH

- A. A death that occurs under suspicious circumstances; or
- B. A death that occurs with no apparent medical explanation; or
- C. A death that occurs with obvious trauma to the decedent.

PROCEDURE

IV. COMMUNICATION RESPONSIBILITIES

- A. The person receiving a report of a death will gather all relevant information from reporting person in order to categorize the patrol response.
 - 1. Natural Death

Patrol response will be one officer to investigate and assist the field agent of the Medical Examiner's Office.
 - 2. Other Categories of Death
 - a. Any other type of death report is initially considered unexplained or suspicious.
 - b. Patrol response will be at least two officers.

V. PATROL RESPONSIBILITIES

- A. The first officer arriving will:
 - 1. Provide immediate aid if the person is not actually dead.
 - 2. Protect the area which might contain evidence.
 - 3. Make a preliminary investigation to determine if the death is natural, unexplained, or suspicious.
 - 4. File an information report unless the incident is obviously a murder. The watch commander may approve certain hospice related deaths to be cleared with call notes.
- B. If the death is clearly natural, the officer will:
 - 1. Call for the Medical Examiner field agent.
 - 2. Assist the field agent and survivors as needed.
- C. If the death is unexplained, the officer will:

1. Call for the Medical Examiner field agent.
 2. Assist the field agent and survivors as needed.
 3. Determine, with the field agent, if a doctor will sign off on the death as being natural.
 4. Request a patrol supervisor respond to the scene.
- D. If the death is suspicious, the officer will:
1. Request a patrol supervisor respond to the scene.
 2. Request additional personnel as needed to control the situation and protect evidence.
 3. Gather initial information in order to broadcast a description if the suspect has fled the area.

VI. CID RESPONSIBILITIES

- A. The senior CID officer at the scene of a death investigation will manage the investigation. He will:
1. Immediately pursue all appropriate investigative leads.
 2. Ensure that a comprehensive supplement report is filed.
 3. Call additional personnel as needed to process physical evidence and follow investigative leads.
- B. During an investigation into the death of an unidentified person, the assigned detective shall:
1. Report the death to the missing children and missing persons information clearinghouse of the Department of Public Safety and the national crime information center not later than the 10th working day after the date the investigation began.
 2. Not later than the 10th working day after the date that one or more identifying features of the unidentified body are determined or the 60th day after the date

the investigation began, whichever is earlier, enter all available identifying features of the unidentified body (fingerprints, dental records, any unusual physical characteristics, and a description of the clothing found on the body) into the National Missing and Unidentified Persons System.

VII. RESPONSIBILITIES OF SHIFT SUPERVISORS IN DEATH INVESTIGATIONS

- A. Respond to the scene.
 - 1. A sergeant or above should respond to any unexplained death investigation.
 - 2. A watch commander shall respond to any suspicious death investigation.
- B. Request a detective respond to the scene of any suspicious death. A detective may be summoned to an unexplained death if deemed necessary by the watch commander.
- C. Notify the ADO with pertinent details of any suspicious death.
- D. Coordinate activities between divisions and ensure that a complete investigation is conducted.
- E. Offer the services of the department chaplain to the survivors if appropriate.
- F. Ensure notification of the next of kin.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.18

SUBJECT: PUBLIC INFORMATION

**DATE OF ISSUE:
10/01/01**

POLICY

An essential element of a free society is the public's right to obtain information about government activity. The Department will furnish information to the community and news media concerning events within the public domain in accordance with law and city policy. This order contains procedures for the provision of information to news media and other interested persons.

PROCEDURE

I. WATCH COMMANDER

- A. The Watch Commander has the primary responsibility for the release of public information to news media. These responsibilities include:
 - 1. Liaison with news media concerning daily police activity after business hours;
 - 2. Preparation and distribution of news releases;

II. DEPARTMENT OPINIONS

- A. Any request for a Department opinion on any issue will be referred to the Administrative Duty Officer.
- B. If the Administrative Duty Officer is not available, the request will be referred to an Assistant Chief or any other Captain.
- C. Requests for records checks or copies of records will be referred to the Records Section.

III. MEDIA RELATIONS AT CRIME SCENES, CRITICAL INCIDENTS, MAJOR FIRES, NATURAL DISASTERS, OR OTHER CATASTROPHIC EVENTS

- A. All employees will courteously assist all persons (including photographers) who are seeking information unless the assistance:
 - 1. Creates a safety hazard,

2. Conflicts with a legitimate public safety objective, or
 3. Creates an unauthorized breach of a police perimeter.
- B. Requests for interviews with specific officers must be approved by the Chief of Police or his designee.
- C. In a critical incident, the Administrative Duty Officer or his designee will report to the command post to manage media relations. An Administrative Duty Officer also serving as the Incident Commander may designate another supervisor or officer to manage media relations.
1. All persons seeking information will be directed to a location designated by the Administrative Duty Officer or his designee.
 2. If the Administrative Duty Officer is unavailable or not yet on scene, the highest-ranking officer on scene will designate an individual to manage media relations.

IV. RESTRICTED INFORMATION

- A. No one will comment to the public on the character, reputation, guilt, or innocence of a suspect unless the case has been adjudicated or unless directed to do so in a trial.
- B. Any questions about confessions, admission of guilt, statements, the refusal to make a statement, the failure to make a statement, any test or examination results, and any refusal to submit to a test on the part of a suspect will be answered by the appropriate unit in accordance with applicable law.
- C. No one will comment on the credibility of any witness in an open criminal investigation.
- D. No one will publicly comment to the public on the guilt or innocence of the accused until the case is adjudicated.
- E. No one will comment to the public on the merits of a case or the quality of evidence until the case is adjudicated.
- F. Information received from other criminal justice agencies will not be released. Requests for such information will be directed to the originating agency.

- V. Whenever the Department is involved in a mutual effort involving other agencies, requests for information will be directed to the agency having primary jurisdiction.
- VI. The release of information regarding internal affairs investigations will be coordinated by the Chief of Police or his designee.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.19

SUBJECT: ALARM RESPONSE
(Std. Ref. 7.26)

DATE OF ISSUE:
10/01/01

POLICY

Even though the majority of alarms are false, a genuine offense which triggers an alarm represents a high-risk situation for officers and citizens. This order provides guidelines for a coordinated response to minimize risk and enhance the possibility of apprehension.

PROCEDURE

I. BURGLARY ALARMS

- A. The assigned officer will observe the premises and request additional units as necessary. Officers are allowed a 'Code 3' response according to General Order 4.8, Emergency Vehicle Operation.
 - 1. If there is an apparent entry, sufficient officers will be required to secure the perimeter and form an entry team.
 - 2. The entry team will search the premises.
 - 3. If the situation becomes an armed barricaded person incident, the patrol supervisor will request the Tactical Unit.
- B. If an officer on patrol hears or sees a burglary alarm, he will follow the same procedure in I.A.
- C. Alarm monitoring companies may call and cancel any burglary alarm responses. Communications will notify the unit en-route and close the call with the appropriate disposition code. NOTE: HOLD-UP AND PANIC ALARMS WILL NEVER BE CANCELLED ONCE CREATED.

II. ROBBERY ALARMS/ROBBERIES IN PROGRESS

- A. Communications will dispatch at least two patrol officers.
- B. Officers responding to a reported robbery will observe the location from concealed positions. Officers are allowed a 'Code 3' response according to General Order 4.8, Emergency Vehicle Operation.

1. If there is a robbery in progress, officers will not attempt to arrest suspects until they have left the building.
 2. Officers will observe the area around the building for possible escape vehicles and accomplices before they attempt to arrest suspects.
 3. The primary officer will request additional units as necessary.
- C. If there is no apparent robbery in progress, the officer assigned as the primary unit will have communications call the location of the alarm and request a representative to leave the building and contact the officer.
1. Communications will ask for a description of the representative and broadcast it to the primary unit.
 2. Communications will relay any special instructions from the primary unit for the representative.
- D. All other unassigned units will monitor the situation and move to tactical locations in their districts to cover possible escape routes.
- E. Officers will not enter the location of a robbery alarm until there is reason to believe the alarm is false or the suspects have left.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.20

**SUBJECT: CONFIRMATION OF NCIC/TCIC/REGIONAL
HITS**

**DATE OF ISSUE:
05/23/97**

POLICY

Records of wanted persons or stolen property contained in Regional, TCIC, or NCIC data bases may contain errors. Since this data is frequently used to develop probable cause to arrest people or seize property, care must be used to ensure the accuracy of the data. Employees must be certain that the person or property being checked is the same as the person or property referenced in the data base.

PROCEDURE

I. NCIC/TCIC/REGIONAL RULES APPLY

- A. All operations of data terminals (including mobile or portable terminals) must comply with Regional, TCIC, NCIC rules if the terminals interface with those data bases.
- B. Probable cause is required to make an arrest or seize property.

II. COMMON DATA BASE CONFIRMATION ERRORS

- A. Name Checks
 - 1. When a name is entered into the data base, the computer produces a "soundex" search. The computer identifies a number of possible matches and generates a list. The name of the person being checked may or may not be on the list. The existence of the list does not mean the person in question is wanted.
 - 2. The data base may produce a record with the same name as the person being checked. This does not mean that person is actually the wanted person. All possible identifiers must be compared.
 - 3. The warrant may have already been served and the entering agency failed to clear it.

B. Article Checks

1. When an article is checked, the data base is likely to produce a list of possible theft records. The articles checked may or may not be on that list.
2. Even if the data base produces a stolen record with the same serial number as the article in question, the record may refer to another brand or model.

C. Vehicle Checks

1. A vehicle with a stolen record in the data base may have already been recovered, and the entering agency failed to clear it.
2. The owner reporting the theft of the vehicle may have recovered it and failed to report the recovery to the entering agency.
3. The theft may actually be a civil dispute that the entering agency failed to detect.

III. CONFIRMATION RESPONSIBILITIES

A. General

1. Any employee involved in confirmation of a warrant or theft report must compare all available identifiers on the record in the data base to the actual person or property in question.
2. Any employee involved in confirmation of a warrant or theft report must listen to any explanation offered by the person in question and evaluate that explanation before making an arrest or seizing property. If the explanation seems plausible, further investigation is required.

B. Arresting or Seizing Officer

1. Make all confirmations through the Communications Center over voice radio.
2. State the name of the person being checked along with race, sex, and date of birth.
3. If the check concerns a vehicle or property, provide the tag number, VIN, or serial number as appropriate.

4. If there is a possible active record in the data base, provide all other available identifiers.
5. Evaluate all identifier discrepancies and make sure there is probable cause before arresting anyone or seizing property.

C. Communications Officer

1. Check all data base returns to identify possible matches with the name or property description submitted by the arresting or seizing officer.
2. Notify the arresting or seizing officer of any discrepancies in the available identifiers.
3. Telephone the agency entering the record in the data base and confirm the validity of the arrest warrant or theft record in the data base.
4. Request confirmation of the record in the data base from the entering agency via the Texas Law Enforcement Telecommunications System.
5. Provide confirmation to the checking officer via voice radio. Restate the name of the person checked or restate the description of the property checked.

D. Communications Supervisor

1. Compare the data base record for any person arrested on a computerized warrant.
2. Ensure all identifiers support the conclusion that the person arrested is the person described in the data base record.

E. Watch Commander (or Sergeant if Commander is not present)

1. Check all arrests to ensure there is probable cause.
2. Release any person arrested without probable cause and take appropriate corrective action.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.21

SUBJECT: EXPLOSIVES
(Std. Ref. 8.02)

DATE OF ISSUE:
10/01/01

POLICY

The presence of an explosive device presents an extreme danger to life and property. The Lewisville Police Department will support the Fire Department in managing incidents involving explosives. No one will handle explosives except qualified technicians.

PROCEDURE

I. DEFINITIONS

- A. The term "explosives" means any device capable of producing a chemical or nuclear reaction which could cause injury or property damage. It includes blasting caps and ammunition (.50 caliber or larger).

II. FIRE RESPONSE

- A. The Lewisville Fire Department is responsible for the management of incidents involving explosives and detonations.
- B. On arrival, the Fire Department officer in charge will establish a command post.
- C. Police units assigned to assist the Fire Department will report to the command post.

III. COMMUNICATIONS PROCEDURES

Anyone receiving a report of an explosive device will:

- A. Attempt to trace the call through the phone company.
- B. Obtain information concerning:
 - 1. Location of device;
 - 2. Time of detonation;
 - 3. Description of voice and mood of caller;
 - 4. Reason for threat; and

- 5. Background noise
- C. Notify the Fire Department.
- D. Dispatch at least two units to the Fire Department Command Post.
- E. Notify the Watch Commander.

IV. PATROL RESPONSE

- A. Units dispatched to the incident will acknowledge the call and then cease wireless transmissions.
- B. Patrol units assigned will:
 - 1. Report to the command post;
 - 2. Establish at least a 400 ft. perimeter around the incident site;
 - 3. Allow no entry into the perimeter unless it is cleared by the command post; and
 - 4. Assist with evacuation and first aid as needed.

V. CRIMINAL INVESTIGATION RESPONSIBILITIES

- A. Criminal Investigation Section will assist Fire Department investigators as needed.
- B. In the event of death or injury caused by an intentional explosion, CIS will conduct a joint investigation with the Fire Department.

VI. SAFETY CONSIDERATIONS

- A. Do not approach or handle a suspect device. If a device is found, the Fire Department will call an explosive technician.
- B. If anyone approaches you with a suspect device, direct the person to stop, place the object gently on the ground, and move at least 400 feet away from it and behind cover, if available.
- C. Do not stand in front of glass or similar material which could shatter because of an explosion.

- D. Turn off all electronic equipment at the incident site. (Passive receivers and other equipment transmit electro-magnetic waves when they are turned on).

VII. BOMB THREAT AT THE POLICE DEPARTMENT

- A. If a bomb threat is made against the Police Department, the Watch Commander will evaluate the information and decide if evacuation is necessary. Evacuation will be required if:
 - 1. An explosive device is found,
 - 2. A reason is given for the threat that is credible and relates to events that have occurred which could generate violent action against government or the Department specifically.
 - 3. Information contained in the threat is so precise about the time of detonation, nature of explosive, and reason for threat that the presence of an explosive device could be logically concluded.
- B. Notify the Fire Department immediately.
- C. If evacuation is ordered, place prisoners in the transport van or patrol cars and move them to a safe location.

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 4.22

SUBJECT: MISSING PERSONS
(Std. Ref. 7.33)

DATE OF ISSUE:
10/01/01

POLICY

Any employee charged with filing such reports will immediately document reports of missing persons. The department has no waiting period for a person to file such reports. All missing persons' cases will be investigated by the criminal investigations section. Reports of missing children (younger than 18) and the elderly shall be immediately investigated due to the risk of danger involved with those age groups. When there is good reason to believe that a non-family abduction has occurred, the Department will immediately and continuously investigate. When criteria are met, an Amber Alert will be issued on such cases. Investigations shall comply with Article 63, Code of Criminal Procedure.

PROCEDURE

I. DEFINITIONS

- A. Abduct: has the meaning assigned by Section 20.01, Penal Code.
- B. Child: means a person under 18 years of age.
- C. Missing Person: means a person 18 years old or older whose disappearance is possibly not voluntary.
- D. Missing Child: means a child whose whereabouts are unknown to the child's legal custodian, the circumstances of whose absence indicate that:
 - 1. the child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law;
 - 2. the child voluntarily left the care and control of the custodian without the custodian's consent and without intent to return;
 - 3. the child was taken or retained in violation of the terms of a court order for possession of or access to the child; or
 - 4. the child was taken or retained without the permission of the custodian and with the effect of depriving the custodian of possession of or access to the child unless the taking or retention of the child was prompted by the

commission or attempted commission of family violence, as defined by Section 71.004, Family Code, against the child or the actor.

E. Endangered Missing Person or Child: means a child who is 13 or younger or any person of any age who is missing and:

1. is under proven physical or mental disability or is senile, and because of one or more of these conditions is subject to immediate danger or is a danger to others;
2. is in the company of another person or is in a situation the circumstances of which indicate that the missing child's or missing person's safety is in doubt; or
3. is unemancipated as defined by the law of this state.

II. MISSING PERSONS CLEARINGHOUSE

A. The following guidelines must be met before information on a missing or unidentified deceased/living person can be entered into the DPS Missing Person On-Line Bulletin.

1. Missing Person
 - a. The parent, spouse, or guardian must contact a law enforcement agency and file a missing person report. The missing person must be entered into NCIC files by the law enforcement agency.
 - b. A "Missing Persons Clearinghouse Report Form" (MP-3) must be signed, completed, and returned to the MPCH. (Form is attached to this General Order and may be downloaded on the DPS website.)
 - c. A current, original photograph must be received by the MPCH. (Note: Do not write on the back of the photograph.)
 - d. In case of parental abductions, a copy of the custody order stating that the reporting parent has custody must be received by MPCH.
 - e. The parent, spouse, guardian or investigating officer must notify MPCH immediately of the location or return of the missing person.
2. Unidentified Deceased/Living Person

- a. The unidentified deceased/living person must be entered into NCIC filed by the law enforcement agency.
- b. Submit as much pertinent information on the unidentified as possible; such as a photograph (if available), dental records, fingerprints, etc.
- c. The law enforcement agency must notify MPCH immediately upon identification.

B. Cancellations

1. Cancellation of a missing person/unidentified person must be done by calling 800-346-3243.

III. AMBER ALERT

A. Criteria

1. The child must be 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and
 - a. If abducted by a parent or legal guardian, the abduction was in the course of an attempted murder or murder; or
 - b. The child is 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
 - (1) Someone unrelated and more than three years older, or
 - (2) Another parent or legal guardian who attempted or committed murder at the time of the abduction.
2. The child is in immediate danger of sexual assault, death or serious bodily injury; and
3. A preliminary investigation has verified the abduction and eliminated alternative explanations for the child's disappearance; and
4. Sufficient information is available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction.

B. Law Enforcement Procedures

1. Fax the Amber Alert Request Form (attached to General Order, also available on DPS website) to the State Operations Center (SOC), Texas Division of Emergency Management at 512-424-2281 or 512-451-2291.
2. Email available photographs of the missing child and suspect to the SOC at soc@dps.texas.gov.
3. Contact the SOC at 512-424-2208 or 512-424-2277 to ensure the Amber Alert Request Form was received.
4. Ensure appropriate entries are made within the Texas Crime Information Center and National Crime Information Center (TCIC/NCIC).
5. Inform the SOC of any updates, to include when the child or suspect is located.
6. Amber Alerts issued by the State Network have a maximum activation period of 24-hours. All requests for extension must be accomplished on or before the last 23-hour reminder from the SOC.
7. The Amber Alert regional program for the area is the Tarrant County Sheriff's Office. They should be contacted and alerted to the fact that an Amber Alert has been submitted to the State. They can be contacted at 817-884-3098.

IV. SILVER ALERT

A. Criteria

1. The person is 65 years of age or older;
2. The senior citizen must live in Texas or have a substantial connection with Texas;
3. The senior citizen does have a diagnosed impaired mental condition, and the disappearance poses a credible threat to the senior citizen's health and safety;
 - a. Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition.

4. It is confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out;
5. The Silver Alert is within 72 hours of the senior citizen's disappearance;
6. There is sufficient information available to disseminate to the public that could assist in locating the senior citizen.
 - a. Highway signs will be activated only if accurate vehicle information is available; and
 - b. It is confirmed that the senior citizen was driving the vehicle at the time of the disappearance.

B. Procedure for Law Enforcement

1. Complete the Silver Alert Request Form;
 - a. Form is attached to the General Order; or
 - b. Can be downloaded on the DPS website.
2. Fax the completed form to 512-424-2281;
3. Call 512-424-2277 or 2208 to verify the form was received.

V. A CHILD IS MISSING PROGRAM

- A. This program should only be utilized to locate missing persons that would be considered "endangered." An example of an "endangered missing person" could be a young child, mentally disabled person, or an elderly person.
- B. Before ACIM is contacted, the primary officer should gather as much information as possible. Officers should also search the residence thoroughly if the person was last seen at a residence. Friends and family of the missing person should also be contacted before alerting ACIM.
- C. Once preliminary attempts to locate the missing person have been exhausted, ACIM should be contacted. The Watch Commander will authorize any activation of ACIM. The Watch Commander should notify the ADO.

- D. The primary officer on scene will activate ACIM at **888-875-2246**.
- E. The primary officer will provide ACIM with:
 - 1. Officer's name, agency, and contact information.
 - 2. Case number (CAD number, if no OCA).
 - 3. Name and description (including clothing) of missing person.
 - 4. Location last seen, zip code, county, and search area.
 - 5. Time and date last seen.
 - 6. Dispatch phone number for citizens to call.
 - 7. Any other information needed.
- F. ACIM will then prepare a recording telling citizens to check the area around them for the missing person. The message will ask citizens to call dispatch if they have seen the missing person.
- G. Dispatch must be notified that ACIM has been activated since they will be fielding calls.
- H. ACIM will then contact citizens within a designated search area. Officers will continue to search for the missing person and follow any leads. If the missing person is not located within a certain time period, ACIM may be contacted again to place another call for a wider search area.
- I. If the call area will include another jurisdiction, that agency needs to be contacted and alerted of the situation prior to system activation. ACIM should be able to advise if the call area will exceed Lewisville's jurisdiction.
- J. It is important for the officer to provide a contact number that will be answered because ACIM will call for updates during the search.
- K. If the child is located, ACIM should be immediately notified. ACIM will not send a cancellation notification to residents. The Watch Commander should check with the ADO to determine if the police department should send a cancellation through the Code Red System.
- L. If the DeltAlert System is going to be utilized, the Watch Commander will follow the procedure for that activation.

VI. ABDUCTION OR ATTEMPTED ABDUCTION INVESTIGATIONS

- A. Responding Officer's Responsibilities

1. Obtain descriptions of the suspect(s) and vehicle (if applicable) and relay the information to communications.
2. Conduct preliminary investigation.
3. Request a supervisor respond to the scene.
4. Complete a report documenting the information. The report shall include the NIC number if there was an actual abduction.

B. Supervisor's Responsibilities

1. Request a detective respond to the scene.
2. Provide necessary manpower to conduct search, if necessary.
3. Contact the ADO and advise him of the situation.
4. Request an area-wide broadcast of suspect description.
5. Request Communications complete a "Missing Person Clearinghouse Report Form" and submit the form to DPS. This must be done within eight hours to comply with Article 63.009, CCP.

C. Detective Responsibilities

1. Respond to the scene and conduct a thorough investigation.
2. Detective shall pursue all leads. Additional manpower should be requested through the detective's chain of command, if needed.
3. Actual abductions shall be continuously investigated.

D. ADO Responsibilities

1. ADO shall respond to all actual abductions.
2. ADO shall issue a command page describing the incident.
3. Request an Amber Alert through Communications if criteria is met.

4. If the victim of the attempted abduction or abduction attends a LISD school, the ADO shall contact the LISD Security Director and advise him of the situation.

VII. ENDANGERED MISSING PERSON OR CHILD INVESTIGATION

A. Responding Officer's Responsibilities

1. Verify the person is actually missing. The person may be hiding inside of the residence or be with a family member.
2. Contact a supervisor to respond to the scene.
3. Conduct a preliminary investigation.
4. Relay pertinent information to Communications for distribution throughout the city and area.

B. Supervisor's Responsibilities

1. Contact the ADO as soon as possible and inform him of the situation.
2. Ensure an investigation is started with due diligence in order to determine the present location of the child or person.
3. Immediately, but not later than two hours after receiving the report, have Communications submit a "Missing Persons Clearinghouse Report Form" to DPS, the National Crime Information Center missing person file if the child or person meets the center's criteria, and Alzheimer's Association Safe Return crisis number, if applicable, with all available identifying features such as dental records, fingerprints, other physical characteristics, and a description of clothing worn when last seen.
4. Inform the person who filed the report of the missing child or missing person that the information will be entered into the DPS Clearinghouse, the NCIC missing person file, and the Alzheimer's Association Safe Return crisis number, if applicable.
5. Ensure that adequate personnel are assigned to conduct a thorough search for the missing child or person.

6. Consider activation of DeltAlert, Silver Alert or A Child is Missing to solicit the public's assistance in locating the missing child or person.

C. ADO's Responsibilities

1. If the person is not located within two hours, the ADO shall respond to the scene.
2. ADO will send a command page giving information on the incident.
3. Call in additional personnel if necessary to conduct the search.

VIII. MISSING CHILD AND MISSING PERSON INVESTIGATIONS

- A. All reports of missing children and missing persons shall be taken, without delay. The reporting officer shall make every attempt to locate the missing child. The reporting officer shall ask Communications to complete the "Missing Persons Clearinghouse Report Form" and forward the form to DPS.
- B. The Criminal Investigations Section will investigate all missing children.
- C. If a missing child was taken or retained without the permission of the custodian and with the effect of depriving the custodian of possession of or access to the child unless the taking or retention of the child was prompted by the commission or attempted commission of family violence, as defined in Section 71.004, Family Code, against the child or actor:
 1. A law enforcement agency receiving a report of a missing child for a period of not less than 48 hours, shall immediately make a reasonable effort to locate the child and determine the well-being of the child. On determining the location of the child, if the agency has reason to believe that the child is a victim of abuse or neglect as defined by Section 261.001, Family Code, the agency:
 - a. Shall notify the Department of Family and Protective Services; and
 - b. May take possession of the child under Subchapter B, Chapter 262, Family Code.

**TEXAS DEPARTMENT OF PUBLIC SAFETY
MISSING PERSONS CLEARINGHOUSE REPORT FORM**

BE VERY SPECIFIC AND COMPLETE:

Name of Missing Person _____ Alias/Nickname _____

Date of Birth _____ Age _____ Drivers License Number _____ Social Security Number _____

Race _____ Sex _____ Height _____ Weight _____ Eye Color _____ Hair Color _____ Build _____

Unique Characteristics (Scars, Limp, Tattoo, Jewelry, Glasses, Etc.) _____

Dental Records Available? Yes _____ No _____ Medical Records Available? Yes _____ No _____ Fingerprints Available? Yes _____ No _____

Blood Type _____ Medical Problems? Yes _____ No _____ Type of Problem _____

Prescription _____

Mental State (Depressed, Suicidal, etc.) _____

Location Last Seen: City _____ State _____ County _____ Zip _____

Date/Time Last Seen _____ Possible Destination (City, State) _____

Last Seen Wearing _____

Hobbies & Interests _____

Associations & Hangouts _____

Vehicle Year _____ Make _____ Model _____ Color _____ License Number & State _____

Other Identifying Characteristics of Vehicle _____

IF APPLICABLE: In Company With _____ Alias/Nickname _____

Relationship: Noncustodial Parent _____ Relative _____ Abductor _____ Friend _____

Address _____ City _____ State _____ Zip _____ Phone Number _____

Date of Birth _____ Age _____ Drivers License Number _____ Social Security Number _____

Race _____ Sex _____ Height _____ Weight _____ Eye Color _____ Hair Color _____ Build _____

Unique Characteristics (Scars, Limp, Tattoos, Jewelry, Glasses, Etc.) _____

Vehicle Year _____ Make _____ Model _____ Color _____ License Number & State _____

Other Identifying Characteristics of Vehicle _____

Include any additional information regarding the missing person not addressed elsewhere on this form (use additional sheets if necessary).

IF AVAILABLE, PLEASE ENCLOSE A CURRENT, WALLET SIZE PHOTOGRAPH

Parent/Spouse/Guardian Name _____ Phone Number (Home) _____ (Work) _____
Address _____ City _____ State _____ Zip _____
Local Agency Handling Case _____ City _____ State _____
Agency Address _____ Fax _____
Investigating Officer _____ Phone Number _____ Case Number _____

In cases of parental abductions, a copy of the court-certified custody order must be enclosed.

Authorization for Release of Information

The undersigned _____ of _____
(print name & relationship: parent, spouse, guardian, or Law Enforcement) (print name of missing child/person)

hereby requests that his/her name, age, description, photograph (enclosed), and circumstances surrounding his/her missing status appear in the Missing Persons Bulletin published by the Texas Department of Public Safety. I understand this information may also be published or otherwise disseminated and made available to law enforcement agencies and other agencies or organizations involved with missing persons.

It is further understood and agreed that any and all information supplied by me shall be truthful, and I agree to hold harmless the Texas Department of Public Safety for any error of omission or commission occasioned by misinformation I may supply. The undersigned individual(s) placing the description of a missing person in the Missing Persons Bulletin agrees to indemnify and hold harmless the Texas Department of Public Safety and any and all Law Enforcement Agencies or other organizations and/or individuals, contacts or sources of information, for or on account of any Legal Liability for suits, actions, claims, or damages that the reported missing person might prosecute against the aforesaid persons and entities and or individuals, whether successful, including defendants, costs sustained.

SIGNED: _____

DATED: _____

**** Release must be signed by the parent, spouse, legal guardian or investigating officer****

**SEND COMPLETED FORM TO:
TEXAS DEPARTMENT OF PUBLIC SAFETY
MISSING PERSONS CLEARINGHOUSE
P.O. BOX 4087
AUSTIN, TEXAS 78773-0422
(FAX # 512-424-2885)**

**IMMEDIATELY NOTIFY THE MISSING PERSONS CLEARINGHOUSE
WHEN THE PERSON HAS BEEN LOCATED
1- 800 – 346 - 3243 or (512) 424 - 5074
WEB ADDRESS: www.txdps.state.tx.us/mpch**

TEXAS DEPARTMENT OF PUBLIC SAFETY

AMBER ALERT REQUEST FORM

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

MAXIMUM ACTIVATION - 24 HOURS

Reporting Agency Information:

Yes No

Activation Criteria:

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

1. (A) Is this child 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder or murder? **OR**

 (B) Is this child 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian, by:
 - (i) someone unrelated and more than three years older, or
 - (ii) another parent or legal guardian who attempted or committed murder at the time of the abduction?

IF THE ANSWER TO 1(A) OR 1(B) IS YES, CONTINUE:
2. Is this child in immediate danger of sexual assault, death or serious bodily injury?
IF THE ANSWER TO 1 & 2 ABOVE IS YES, CONTINUE:
3. Has a preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance?
IF THE ANSWER TO 1, 2 & 3 ABOVE IS YES, CONTINUE:
4. Is sufficient information available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction?

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

Abduction Date: _____ Time: _____
 Last known location: _____

VICTIM DATA: _____ NIC#: _____
 Name: _____
 Age: _____ Sex: _____ Race: _____ DOB: _____ Height: _____ Weight: _____
 Eyes: _____ Hair: _____ Clothing: _____
 Unique Physical Characteristics: _____

SUSPECT DATA:
 Name: _____
 Age: _____ Sex: _____ Race: _____ DOB: _____ Height: _____ Weight: _____
 Eyes: _____ Hair: _____ Clothing: _____
 Unique Physical Characteristics: _____

VEHICLE DATA:
 Make: _____ Model: _____ Year: _____ Color: _____
 LP-State: _____ Number: _____
 Any other descriptors: _____

TEXAS DEPARTMENT OF PUBLIC SAFETY

SILVER ALERT REQUEST FORM

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

MAXIMUM ACTIVATION - 24 HOURS

Reporting Agency Information

YES NO

1. Is the missing person 65 years of age or older?

Date of Request

2. Is the senior citizen's domicile in Texas?

Name of Reporting Agency

3. Does the senior citizen have a diagnosed impaired mental condition, and does the senior citizen's disappearance pose a credible threat to the senior citizen's health and safety? (Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition.)

Contact number for Reporting Agency

Fax number for Reporting Agency

4. Is it confirmed that an investigation has taken place verifying that the senior citizen's disappearance is due to his/her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out?

Name/Title of Investigating Officer

5. Is the Silver Alert request within 72 hours of the senior citizen's disappearance?

Cell phone number for Investigating Officer

6. Is there sufficient information available to disseminate to the public that could assist in locating the senior citizen? (Highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the senior citizen was driving the vehicle at the time of the disappearance.)

Phone number for media inquiries

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

Date of last contact: _____ Time: _____

Last known location: _____

SENIOR CITIZEN DATA

NIC #: _____

Name: _____ Diagnosed Mental Condition: _____

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

Eyes: _____ Hair: _____ Clothing: _____

Unique Physical Characteristics: _____

VEHICLE DATA

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

LP-State: _____ Number: _____

Any other descriptors: _____

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.24

**SUBJECT: EXECUTING SEARCH WARRANTS
AND HIGH-RISK ARRESTS
(Std. Ref. 7.06)**

**DATE OF ISSUE:
01/15/97**

POLICY

The Department will execute all search warrants in a manner to ensure protection of Constitutional rights. At the same time, the highest degree of safety must be established for all persons concerned.

PROCEDURE

I. AUTHORIZATION FOR SEARCH WARRANTS

- A. Any search warrant obtained by the Lewisville Police Department must be approved by the section Lieutenant, Division Commander or Watch commander. That supervisor must:
1. Ensure the warrant meets all legal requirements;
 2. Coordinate with the Watch Commander if patrol resources are needed to execute the warrant; and
 3. Review a Threat Assessment and follow the recommendations for execution, unless one of the below exceptions applies. The Threat Assessment shall be completed by a person knowledgeable of the investigation.
 - a. No assessment is needed for administrative search warrants such as DNA, blood draws, documents, etc.
 - b. In instances where officers have secured a location and then obtains a search warrant for the location, no threat assessment is needed.
- B. Officers from other agencies seeking Lewisville Police assistance in the execution of a search warrant must get approval from the Watch Commander or a Division Commander. The reviewing supervisor is responsible for ensuring that:
1. The warrant meets all legal requirements;
 2. An Operations Plan has been reviewed for safety considerations; and

3. The warrant affidavit contains probable cause.

II. SEARCH WARRANT PREREQUISITES

A. A Texas search warrant must:

1. Run in the name of “The State of Texas;”
2. Identify, as near as may be, that which is to be seized and name or describe, as near as may be, the person, place or thing to be searched;
3. Command any peace officer of the proper county to search forthwith the person, place, or thing named; and
4. Be dated and signed by an authorized magistrate according to the Texas CCP 18.01.

B. A Federal search warrant must:

1. Identify the person or property to be searched;
2. Identify any person or property to be seized;
3. Designate the magistrate judge to whom it must be returned; and
4. Must command the officer to:
 - a. Execute the warrant within a specified time no longer than 14 days;
 - b. Execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and
 - c. Return the warrant to the magistrate judge designated in the warrant.

III. LEGAL CONSIDERATIONS

Fourth Amendment Requirements (Always refer to Texas CCP, Chapter 18, which is more restrictive).

- A. A search warrant must clearly describe an actual criminal offense with sufficient specificity that anyone will clearly understand what crime is being investigated.

- B. The place to be searched must be specifically described. Actual street addresses are preferred. The address must be complete and accurate. If no address is available, the premises must be described in sufficient detail to make absolutely clear what location is involved.
- C. There must be a sworn probable cause affidavit approved by a judge and reviewed by the approving supervisor. Such an affidavit is public information if the warrant is executed.
- D. The warrant and affidavit must specify the items sought. In general, the items must be:
 - 1. Fruits of a crime;
 - 2. Instrumentalities of a crime;
 - 3. Evidence of a crime; or
 - 4. Contraband.

IV. CLASSIFICATION OF RISK

Before a warrant can be executed, the Lieutenant, Watch Commander or Division Commander must determine a risk classification.

- A. High-risk search warrants are those which involve:
 - 1. Fortified locations;
 - 2. Presence of anyone with a history of armed violence;
 - 3. Presence of automatic or military-style weapons; or
 - 4. Any intelligence which indicates a possibility of violent resistance.
- B. Standard risk search warrants are all others in which there is little probability of significant resistance.

V. ASSESSMENT OF NEEDS AND EXECUTION PLAN

- A. After the Lieutenant, Watch Commander or Division Commander has classified the risk, he must arrange for adequate personnel and equipment to safely and effectively execute the warrant.
- B. The following factors will be included in all needs assessments and execution planning:
 - 1. All information concerning the premises, the surroundings, and the individuals involved.
 - 2. Interior diagrams or plans of the premises.
 - 3. Interviews with personnel who have had access to the premises or contact with the individuals concerned in the past.
 - 4. Proximity of adjoining structures and streets.
 - 5. Volume and nature of traffic in the area at the time of execution.
 - 6. Possibility of lookouts or accomplices in the area.
 - 7. Photographs or videos of the premises, the area, and the subjects involved.
 - 8. Locations and types of fences and walls which must be scaled or which might offer cover and concealment.
 - 9. Locations and types of windows and doors which might provide access for officers, escape routes, or fields of fire.
 - 10. Composition of doors and locking mechanisms (doors are usually better suited for entry, but they are predictable, therefore; more dangerous).
 - 11. Profile of all persons on premises to identify violent persons, children, disabled persons, or persons with medical conditions.
 - 12. Locations and types of animals on the premises.
 - 13. Need for officers with particular foreign language skills.
 - 14. Intelligence concerning fortification and armament on the premises.

VI. BASIC SAFETY RULES

All supervisors involved will enforce basic safety rules:

- A. There will be a briefing for all search team members prior to execution to ensure:
 - 1. All team members recognize each other.
 - 2. Each team member understands his exact responsibilities and duties as well as their relationship to those of the other team members.
 - 3. Each team member knows the exact location and description of the premises to be searched and the best possible description of individuals on the premises. If necessary, team members will reconnoiter the premises in order to ensure the warrant is executed at the correct location.
- B. The first officers to enter the premises must be in uniform or Department raid jackets which clearly indicate the personnel are police officers.
- C. Whenever possible, the SWAT supervisor should conduct an execution rehearsal in high-risk situations.
- D. Warrants will be executed during daylight hours except in exigent circumstances. Some exigent circumstances are:
 - 1. Critical evidence will be lost if there is a delay until daylight. (Remember safety is more important than evidence).
 - 2. Daylight will create a safety hazard for officers.
- E. Only specially trained tactical officers will use the following equipment:
 - 1. Flash/sound diversionary devices.
 - 2. Automatic weapons.
 - 3. Chemical agents (Other than personal OC).
- F. Only tactical unit personnel will participate in a high-risk entry or vehicle assault. Other officers may search after the premises are secured.

- G. A fire department ambulance will be on standby at a safe location near the premises whenever possible in high-risk situations.
- H. Every execution plan will include escape routes in case officers receive insurmountable gunfire.

VII. WARRANT EXECUTION

The Watch Commander or Division Commander will classify the risk and follow these procedures:

A. Supervision

1. In standard risk situations, an LPD Sergeant or higher-ranking officer will supervise the operation. A supervisor does not need to be present on administrative search warrants. An administrative search warrant is a warrant where no entry is being made, such as search warrants for DNA, blood, documents, etc.
2. In high-risk situations, sufficient Lewisville tactical officers will conduct the entry and secure the premises. Then, the appropriate supervisor from LPD or the other agency, if applicable, will supervise the search. The Watch Commander or Division Commander will arrange for necessary tactical personnel.
3. Lewisville officers may assist other agencies as long as there is no deviation from this policy or law.
4. If tactical personnel from another agency make entry on a high-risk warrant, LPD personnel will assist with entry only on approval from a Division Commander or higher-ranking officer.

B. Time of Execution

1. A Texas warrant is valid for only three days exclusive of the date of issuance and the date of execution. Sometimes the magistrate will specify a shorter period. DNA search warrants are allowed 15 whole days for its execution.
2. In addition to the statutory time period, warrants must be executed within a reasonable time. Probable cause is often of a very limited duration and requires a warrant to be executed as soon as practical.

C. Knock and Announce Warrants

1. An improper entry may invalidate a search warrant.
2. Officers will enter the premises only after they have announced their presence and requested admission.
3. Officers must wait a reasonable time before forcing an entry. If the interval between announcement and entry is very brief or nonexistent, the decision must be based on clearly explainable facts which show that a delay would:
 - a. Endanger officers; or
 - b. Risk destruction of evidence.

D. Use of Force

1. Any force used will be only that reasonably necessary to accomplish the entry and conduct the search.
2. Excessively destructive entries and searches may invalidate the search warrant and are not permitted.

E. Conduct of the Search

1. The supervisor executing the warrant will present a copy of the warrant and signed inventory of property seized to the owner of the place. If the owner is not present, the officer will give the documents to whoever is in possession of the place. If no one is present, the officer will leave the documents at a clearly visible location on the premises.
2. The search will extend only to the premises described in the warrant and the curtilage of the premises. The search should be limited to areas where the item(s) can be located.
3. The search will continue only as long as reasonably necessary.
4. On conclusion of the search, the search team will secure the premises. If the entry has damaged doors, locks, or security devices, and the premises are to be left vacant, the search team must take appropriate measures to protect the premises and their contents before leaving.

5. If the warrant has been obtained by the Lewisville Police Department, a warrant return will be provided to the issuing magistrate within five business days of the execution.
6. The supervisor in charge will ensure all seized items are properly stored in the Department evidence room until the magistrate orders a disposition.

VIII. WARRANT TO PHOTOGRAPH INJURED CHILD

- A. Search warrants may be obtained to photograph an injured child who has been a victim of “injury to a child” [P.C. 22.04], “sexual assault of a child” [P.C. 22.011(a)], or “aggravated sexual assault of a child” [P.C. 22.021].
- B. A search warrant to photograph a child must comply with all aspects of this order except that such a warrant will not be executed in a high-risk situation without approval of the Division Commander or higher-ranking officer.
- C. Special Requirements:
 1. Whenever possible, the warrant will be executed by an officer of the same sex as the child.
 2. If an officer of the same sex cannot be arranged, the officer executing the warrant must be assisted by some other person of the same sex as the victim. That person must be present during the photography.
 3. The child may not be removed from the premises except under Section 17.03 of the Family Code.
 4. The photographer must be an employee of a law enforcement agency.
 5. The exposed film must be taken immediately to the magistrate issuing the warrant.

IX. HIGH-RISK ARRESTS IN PLANNED OPERATIONS

Before a high-risk arrest operation is commenced, the Lieutenant, Watch Commander or Division Commander must review a threat assessment. The Threat Assessment should be completed by someone knowledgeable of the investigation.

- A. High-risk arrests are those, which involve:

1. Presence of anyone with a history of armed violence;
 2. Presence of automatic or military-style weapons;
 3. Any intelligence which indicates a possibility of violent resistance; or
 4. A vehicle assault. A vehicle assault is when officers plan on approaching a suspect in a vehicle instead of ordering the suspect out of the vehicle.
- B. Standard risk arrests are all others in which there is little probability of significant resistance.

Lewisville Police

RISK ANALYSIS/THREAT ASSESSMENT

For Planned Operations

TYPE OF OPERATIONS/INVESTIGATION

Search Warrant:

Planned Arrest:

Other:

Case Number:

Date/Case Agent:

District:

Form Prepared by:

Primary Suspect's Name:

Date of Birth:

Address:

A "Threat Assessment" must be completed in compliance with any situation outlined in General Order 4.24, unless exigent circumstances exists for immediate service. Copies of ALL completed "Threat Assessments" SHALL be given to and reviewed by the Division Commander or his designee prior to the execution of the search warrant or high-risk arrest. Copies will include the actual warrant (or hit confirmation), CCH on the suspect and any other pertinent information used in completing the "Threat Assessment" for that case.

SUSPECT ASSESSMENT

	<i>Yes</i>	<i>No</i>	<i>Unknown</i>
Homicide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assault	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Armed Robbery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Major Drug Violator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Resisting Arrest, Assault on Police)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Describe Manner of Assault: (If Resisting Arrest box is checked this line should also be checked)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>			
Is suspect on parole?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is suspect on probation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes give type:			
Is suspect an alcohol abuser?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does suspect have history of violence while intoxicated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is suspect mentally unstable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes describe condition:			
Where was the information obtained? <input type="text"/>			
Does suspect have military/police background?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, give branch/department, length of service, specialties etc.			
<input type="text"/>			

<p>Is suspect currently/historically associated with an organization known or suspected of violent criminal activity? YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN <input type="checkbox"/></p> <p>If yes what group? ** <input type="text"/></p> <p>Where was the information obtained? <input type="text"/></p> <p>Can that organization be classified as</p> <p>A. Para-military <input type="checkbox"/></p> <p>B. Terrorists <input type="checkbox"/></p> <p>C. Religious Extremists <input type="checkbox"/></p> <p>D. Gang: <input type="checkbox"/></p>	<p>WEAPON ASSESMENT (check all that apply)</p> <p>A. Firearm <input type="checkbox"/> Type <input type="text"/></p> <p>B. Bladed weapon <input type="checkbox"/> Type <input type="text"/></p> <p>C. Full Auto** <input type="checkbox"/> Type <input type="text"/></p> <p>D. Explosives** <input type="checkbox"/> Type <input type="text"/></p> <p>E. Known dangerous animals <input type="checkbox"/> Type <input type="text"/></p> <p>F. Other <input type="checkbox"/></p> <p>(2 points should be added for each box checked)</p>
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SITE ASSESMENT	<i>Yes</i>	<i>No</i>	<i>Unknown</i>
Are there geographic barriers or consideration? If yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is site fortified: **If yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is site booby-trapped? **If yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does site have surveillance/monitoring devices? If yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are armed counter surveillance personnel present? **If yes, describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TIME ASSESMENT

Note: Analysis should seriously consider the time factor. The general rule is that the less time available for planning, the higher the risk value.

A. Unlimited planning time available	= 0 points	
B. Less than 30 days to plan	= 0 points	
C. Less than 15 days to plan	= 0 points	
D. Less than 7 days to plan	= 1 points	
E. Less than 3 days to plan	= 2 points	
F. Less than 1 day to plan	= 3 points	
G. Less than 12 hours to plan	= 4 points	
Time Factor Point Value		

INFORMATION ASSESSMENT

Information Source
 Confidential information
 Concerned Citizen
 Agent
 Other Police Officer
 Other

Reliability of Source/Information
 0%-25% 25%-50% 50%-75% 75%-100%

POINT VALUE WORK AREA

Total YES Answers	— X 2	= —
Total UNKNOWN Answers	— X 1	= —
Total No Answers	— X 0	= —
Total Points from Time Assessment		= —
Total Points		= —
RECOMMENDED OPTIONS		

Optional Activation of SWAT Team	1-17 Points
Consultation of SWAT Commander	18-24 Points
Recommended Activation of SWAT Team	25+ Points

YES ANSWER TO ANY ** QUESTIONS REQUIRES THE MANDATORY USE OF THE SWAT TEAM IN THE PLANNED OPERATION. ALL SWAT CALL-OUT REGULATIONS APPLY.

ACTION TAKEN

SWAT Commander consulted? Yes No Time: _____ Date: _____
 CID will manage the event? Yes No
 SWAT will be activated to manage event? Yes No
 Person Activating SWAT Team _____ Time: _____ Date: _____

Case Agent _____
 Unit Supervisor _____
 Division Commander _____

LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER

NUMBER: 4.25

**SUBJECT: MEDICAL CONSIDERATIONS IN
PROVIDING POLICE SERVICE**
(Std. Ref. 6.07 & 7.16)

DATE OF ISSUE:
01/15/95

POLICY

Police employees encounter people with a wide variety of medical problems and needs. In order to provide safe and effective police service, employees must consider the medical implications of certain behavior demonstrated by citizens whether they be complainants, victims, witnesses, or arrested persons. Employees must take prompt and effective action commensurate with their training.

PROCEDURE

I. INTOXICATED PERSONS

- A. Intoxicated persons have impaired judgment and physical abilities. When dealing with intoxicated persons:
1. Control them so that they do not endanger themselves in traffic.
 2. Summon immediate medical aid if they are unconscious. Unconsciousness due to intoxication or a blood alcohol content of 0.30% or higher can be life threatening.
 3. Use caution because they are much more likely to be assaultive or use deadly weapons than when sober.
- B. Some physical and mental diseases may appear to be intoxication. Whenever dealing with an unconscious or disoriented person:
1. Check for "medic-alert" bracelets, necklaces, identity cards, or other identification.
 2. Listen to and solicit plausible explanations for behavior from the principal subject and witnesses.
 3. Consider that such behavior may be caused by:
 - a. Diabetes
 - b. Concussion

- c. Stroke
- d. Heat exhaustion
- e. Hypothermia
- f. Mental illness
- g. High fever
- h. Abnormal blood pressure
- i. Hypoglycemia
- j. Shock
- k. Cardiac arrest
- L. Other mental and physical illnesses.

4. Be especially sensitive when dealing with diabetics because insulin irregularities may result in coma and death.

C. Anytime there is reason to believe apparent intoxicated behavior is the result of health problems, arrange for appropriate medical care as quickly as possible.

II. UNCONSCIOUS PERSONS

A. Do not assume that a non-breathing person is dead unless there are clear indicators such as rigor mortis, lucidity, putrefaction, decomposition, or massive injuries such as decapitation.

B. Use first aid techniques commensurate with your training to resuscitate the unconscious person. Always use body fluid precautions.

C. Summon emergency medical service as soon as possible.

III. MISSING PERSONS

A. Be especially conscientious in missing person cases involving very young or elderly persons. These people may be disoriented or unable to adequately protect themselves from exposure to heat or cold. Death could result.

1. Always notify a supervisor in these cases.

2. Always conduct an organized and thorough search of the probable range of the missing individual. An elderly person in a vehicle may travel long distances in a relatively short time.

B. Missing persons who are depressed may be suicide risks.

1. Use all reasonable means to locate the missing person.
 2. Enter the person and any vehicle information into the NCIC data base.
- C. Always consider the possibility of abduction in any missing person incident.

IV. INJURED PERSONS

A. When encountering injured persons, use first aid techniques commensurate with your training. Use body fluid precautions and call for an LFD ambulance if the injury is serious.

B. Personnel should use first aid techniques commensurate with your training to care for anyone injured during a use of force incident. Additionally, obtain medical treatment for anyone injured, or complaining of injury, after use of force has been applied.

C. Appropriate first aid techniques are:

1. Clear the airway

2. Restore breathing (CPR)

3. Stop bleeding

4. Treat for shock

5. Treat wounds

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.26

SUBJECT: WARRANTLESS SEARCH & SEIZURE
(Std. Ref. 7.07)

DATE OF ISSUE:
01/15/95

POLICY

Search and seizure must be conducted in accordance with the Fourth Amendment to the U.S. Constitution, Article I, Section 9 of the Texas Constitution and Article 1.06, Chapter 1 of the Texas Code of Criminal Procedure. One of a citizen's basic civil rights is to be secure in their persons, houses, papers, and possessions from all unreasonable seizures or searches.

PROCEDURE

I. INVESTIGATIVE STOPS (“STOP AND FRISK”) AND DETENTION

- A. An “investigative stop” is a stop for interviewing a subject, when the officer has specific facts that establish a reasonable belief that the person stopped has committed or is about to commit a criminal offense. Reasonable belief requires facts and circumstances which are something more than suspicion or a “hunch.”
1. An “investigative stop” may be made even though there are insufficient facts to arrest the person at the time of the stop as long as there are facts to establish reasonable belief that the person has committed or is about to commit an offense.
 2. Always identify yourself as a police officer if out of uniform. Your identity is presumed if you are wearing a regular police uniform.
 3. The specific facts required for such a stop could be any unusual conduct, activity, or any other specific fact, such as a radio broadcast, information from another police officer, or information from a complainant, a witness, or a report.
 4. Conduct such as mere presence in a high crime area, acts which are consistent with non-criminal conduct, flight from police, or the dropping of some item are not alone the basis for an “investigative stop.” There must be specific facts which form a reasonable belief the person has committed or is about to commit a criminal offense.
- B. An officer may conduct a “pat down” search (commonly known as “stop and frisk”) of the outer clothing of the subject when the officer has reasonable belief that the subject may be armed.

- C. The officer making an investigative stop may inquire to determine the person's identity or the nature of the conduct which formed the basis for the reasonable belief that the person has committed or is about to commit a criminal offense.
- D. Specific facts developed prior to and during the "investigative stop" MAY form the basis for "probable cause" to arrest the person stopped.
- E. A "consensual encounter" between the police and a citizen does not invoke the Fourth Amendment exclusionary evidence rules. Officers may, in this situation, ask questions, obtain voluntary responses, and use those responses in evidence.

II. SCOPE OF SEARCH INCIDENT TO ARREST

- A. An officer may, incident to a valid arrest, make a warrantless search of the arrested person at the time and place of the arrest. He may also search the area into which the suspect might reach for a weapon or conceal evidence.
- B. Vehicles may be searched incident to the arrest of the occupant or driver only in the following circumstances:
 - 1. The arrested occupant or driver of the vehicle is unsecured and within arm's reach of the passenger compartment at the time of the search. This practice is not recommended:
 - 2. The officer has a reasonable belief that evidence related to the crime for which the arrest was made is located within the passenger compartment.
 - 3. Once an occupant has been secured and is unable to effectively reach the passenger compartment, the authority to search the vehicle for safety reasons is removed.

III. VEHICLE EXCEPTION – CARROLL DOCTRINE

- A. Officers who possess probable cause to believe that a readily movable vehicle contains (or is) contraband or evidence of a crime may seize the vehicle or stop and search the vehicle without a warrant under the vehicle exception.

- B. If probable cause exists to search a readily movable vehicle, there is no requirement for independent exigent circumstances. The officer's determination of probable cause must be based on objective facts that could justify the issuance of a search warrant by a magistrate.
- C. The scope of the search is as thorough as a magistrate could authorize in a search warrant. The officer may conduct a search of all locked and unlocked containers and compartments in the vehicle that may reasonably contain the object(s) for which the officer is searching. However, if probable cause to search is only for a specific container in the vehicle, then the officer cannot search the rest of the car.
- D. It is preferred that a search warrant be obtained for a vehicle that is towed, impounded or otherwise secured by law enforcement. An example of when a search warrant would not be prudent includes by not exclusively, a vehicle moved off the roadway for safety reasons to be searched nearby in a safer location.
- E. Officer Should note that vehicles that are crashed and incapable of being driven, vehicles which are junked, wrecked or permanently immobilized or vehicles such as recreational vehicles that are stationary and being used as a residence might not be considered a "readily movable vehicle" for Fourth Amendment purposes.

IV. **PLAIN VIEW**

- A. An officer may, without a warrant, seize items found in plain view if you believe the items are evidence of a crime and it is not practical to first obtain a warrant.
- B. An officer may, without a warrant, seize any contraband or evidence that is in plain view from a place where he is lawfully present as long as he has not entered the place with the expectation of finding the contraband or crime evidence.
- C. There is no requirement that an officer obtain a warrant before seizing things brought into public places open to public view.

V. **SEARCHES THAT ARE NOT REALLY SEARCHES**

- A. Abandoned Property, Public Places, and Plain View – All of these warrant exceptions operate on the premise that no constitutional protection can be asserted by anyone over objects that anyone may use or see. No warrant is needed to conduct a field chemical test of a controlled substance once the item being tested is lawfully in an officer's possession.

- B. Open Field – An officer may enter and search any unoccupied or undeveloped area that lies outside the curtilage of a dwelling. Curtilage is the area around the home to which the activity of home life extends, determined by distance from the home and whether it lays within a fence that encloses the home. A backyard is part of the curtilage and is not an open field, even if it is not fenced.
- C. Vehicle Inventory – An inventory of a lawfully impounded vehicle is not a search; however, if an officer is intentionally seeking evidence or contraband, he must get a warrant.

VI. CONSENT

An officer can conduct a search of a person or property even though he does not have a warrant or even probable cause if he has obtained the prior consent of the one who will be affected by the consent, or of someone who has the right and authority to act for the person who will be affected by the consent. When seeking to obtain voluntary consent to search for a business or residence, officers must obtain said consent from a person 18 or older with the authority to grant permission. A warning is advisable and consent must be given of free will. Officers should carry and use the Voluntary Consent to Search Form. There is no legal requirement that the officer advise the person giving consent that he has a right to refuse or that he has a right to require a warrant.

- A. Although no reason is required to request consent to search from an individual, officers should make such requests only when they have reasonable suspicion which can be explained.
- B. Officers requesting consent to search should attempt to obtain written consent or record (audio or video) the consent before conducting a search. When probable cause exists and a search warrant is not needed, consent to search is not needed.
- C. If a person gives verbal consent but refuses to give written consent, officers should consider the severity of the case along with viable options (i.e., obtaining a search warrant, recording the verbal consent with the mobile video recorder) before proceeding with the search.
- D. If officers proceed to search on verbal consent, the burden of proof may be greater since they will not only have to prove the consent was voluntary but that it was actually given (officer's word against defendant). Therefore, officers should attempt to take additional steps to eliminate this argument (i.e., tape record the verbal consent, have an impartial third party witness the consent).

- E. Officers should make every effort to minimize any implied “threat or intimidation” such as:
 - 1. Number of officers present (especially uniformed),
 - 2. Amount of force used for detention or arrest (i.e., displaying firearms),
 - 3. Language and tone of voice used in the interview requesting consent.
- F. If the place or thing to be searched is used jointly by two or more persons, any one of them may grant consent for those commonly used places or things, but not over the objections of another when present at the location. Any area or item exclusively used by an objecting party or a party not present to give consent may not be searched.
- G. Officers may obtain consent to search outside their jurisdiction.
- H. In describing the place or thing to be searched on the Consent to Search Form, officers should consider the following:
 - 1. Include detached garages, outbuildings, storage sheds, fields, or other sites on the curtilage if they are to be searched.
 - 2. Include the unique number or a specific description of the unit or room to be searched in hotels, apartments, mini-warehouses and other multi-unit locations.
 - 3. Include the color, year, make, model, license and/or VIN for vehicles.
- I. The consentor may withdraw consent at any time. The officer conducting the consensual search must honor this right and stop the search immediately. If probable cause is developed prior to withdrawal of consent, officers should consider obtaining a search warrant.
- J. Any item seized, must be listed on a Property/Evidence report.

VII. **EMERGENCY SEARCHES**

An officer may make a warrantless search of anything, whether personal belongings, a vehicle, or a building, anytime that he has good reason to believe it is immediately necessary to save a life or prevent injury. Consent is not necessary.

VIII. HOT PURSUIT (FELONY OFFENSES)

If an officer is pursuing a person he has probable cause to believe is armed and who has just committed a felony, he may, for the purpose of his own safety, the safety of the public, and the prevention of escape, search the building into which he has pursued the person until apprehension is made. After that, only the area the suspect went through or that is immediately adjacent to the location of arrest may be searched. Hot pursuit does not permit an officer to enter into a private residence for a misdemeanor without first obtaining a search warrant unless there is a life threatening situation.

IX. SURVEILLANCE WITHOUT ELECTRONIC DEVICES

An officer may, without a warrant, conduct surveillance unless the surveillance invades the suspect's reasonable expectation of privacy from government intrusion. The use of some electronic devices may require a search warrant or authorization from a judge.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.27

SUBJECT: VEHICLE LOCK-OUTS

**DATE OF ISSUE:
01/15/97**

POLICY

The Police Department is called upon frequently to assist citizens who have locked themselves out of their vehicles. Due to the many damage claims resulting from LPD service in these situations, the Department can not assist except in life-threatening emergencies.

PROCEDURE

I. CALL RESPONSE

- A. When a citizen calls requesting assistance in unlocking a motor vehicle, the call taker will explain that due to damage claims, this assistance can not be provided.
- B. In emergency situations, Communications will request LFD to handle the incident.
- C. Communications must dispatch an officer if:
 - 1. A child, animal or other incapacitated individual is locked inside and can not lower the window; or
 - 2. A situation exists that represents a public safety concern approved by a patrol supervisor. The supervisor must be able to articulate a legitimate public need that outweighs normal concerns over liability.
- D. All personnel must know that a small child locked in a vehicle is a serious safety hazard. An animal locked in a vehicle when temperatures are high or when the motor running is also a safety hazard. Communications must dispatch LFD immediately.
- E. In non-emergency situations, call takers may provide assistance to the callers by recommending them to:
 - 1. Attempt to contact a person with a spare set of keys; or
 - 2. Call a locksmith or wrecker service.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.28

SUBJECT: ACCIDENT INVESTIGATION
(Std. Ref. 7.16 & 7.17)

DATE OF ISSUE:
10/10/95

POLICY

Objective and accurate investigation of motor vehicle accidents is a requirement of this department. The investigation must also be done in a manner to ensure the safety of all persons involved.

PROCEDURE

I. WHEN MOTOR VEHICLE ACCIDENT INVESTIGATIONS ARE REQUIRED

- A. Officers will investigate and report motor vehicle accidents in accordance with Transportation Code Sections 550.041, 550.061, 550.062, 550.063, 550.064 and "Instructions to Police for Reporting Crashes," CR100 published by the Texas DOT.
- B. Minor accidents on private property will not be investigated unless they involve the failure to comply with Transportation Code Sections 550.022, 550.025 and 601.051, which includes traditional "hit and run" investigations, fail to provide proof of financial responsibility and those cases where false information has been exchanged. When the call taker determines that the accident is injury free and occurred on private property, they shall explain to the caller the policy and remind them to exchange with the other party or parties the following information:
 - 1. Name,
 - 2. Address,
 - 3. Registration number of the vehicles involved,
 - 4. Name of the motor vehicle liability insurer, and
 - 5. Drivers license number.
- C. The following events are not motor vehicle accidents and state accident reports are not suitable. Write offense or incident reports.
 - 1. Injury or damage caused by deliberate intent such as suicide, murder or assault.

2. Injury or damage caused by intentional law enforcement action such as ramming or blocking another vehicle with a vehicle.
3. Injury or damage resulting from cataclysm (tornados, floods, earthquakes and other natural events).

II. COLLECTION OF INFORMATION

A. A proper investigation requires objective and accurate collection and reporting of information. As a minimum, officers investigating an accident must, whenever possible:

1. Interview all witnesses including all drivers.
2. Take written statements from witnesses in situations with serious bodily injury.
3. Look for and evaluate physical evidence such as damage, debris, skid marks, and alcoholic beverage containers.
4. Record identities, phone numbers, and addresses of witnesses.

B. If a fatality investigator is necessary, secure the accident scene as follows:

1. Direct traffic around the accident scene to avoid damaging evidence.
2. Leave vehicles in place and do not call wreckers until the fatality investigator requests them; unless a delay would cause an imminent probability of additional injury.
3. Detain witnesses for the fatality investigator if feasible. If this is not possible, attempt to obtain written statements from witnesses before they leave. Always identify them and get contact numbers.
4. The supervisor on duty should contact the appropriate agency (City Street Department or Texas Department of Transportation) for temporary traffic control devices when it is necessary to close a road or reroute traffic.

C. Whenever possible, accidents with serious bodily injury and fleet accidents should be photographed and measured.

III. TRAFFIC LAW ENFORCEMENT AT ACCIDENT INVESTIGATIONS

Officers must take appropriate enforcement action, pursuant to TRC 550.041, in all cases in which there is probable cause to believe a violation of the law has occurred.

IV. ACCIDENTS INVOLVING TRAINS

In an accident involving a train, the following procedures are necessary in addition to the usual accident investigation efforts:

- A. Locate and identify the engineer and conductor.
- B. Record both names, the train number, and the engine number.
- C. Record the engineer's Department of Transportation identification card number (not his driver's license).
- D. Take photographs as needed.
- E. Make measurements and diagrams as appropriate.
- F. Conduct a thorough examination of the railroad crossing, including grade, visibility, condition, and operation of control signals.
- G. Identify other personnel on the train, their assignment, and location at the time of the accident. Follow-up with railroad investigators if necessary.
- H. Record the Railroad Crossing Number on the accident report. (The Texas Department of Highways and Public Transportation assign identification numbers to all railroad crossings. This number is usually on a card approximately 3 by 7 inches on the main upright of the railroad signal or sign just above eye level. There are instances; however, when the number may be attached to a nearby telephone pole or post. The name of the railroad company will appear on the card above the number.)
 1. List the signal identification number when an accident involves a railroad grade crossing as a factor even if a train was not hit.
 2. Place the number on the line for "Intersecting Street" or "RR Crossing Number."

V. ACCIDENTS INVOLVING HAZARDOUS MATERIALS

First officers on the scene of a traffic accident involving hazardous materials such as corrosives, flammable materials oxidizing materials, compressed gasses and poisons must follow these procedures:

- A. Stabilize conditions by isolating the immediate area and request assistance as needed. Notify the supervisor.
- B. Identify the nature of the hazard
 - 1. Note the shape and size of the vehicle and attached DOT placards and warnings.
 - 2. Identify substance by referring to the DOT hazardous material manual and by asking communications to check the material identification number in the hazmat data base.
 - 3. Interview the driver of the vehicle if possible.
 - 4. Check for shipping labels or paper in the vehicle if this can be done safely.
 - 5. Identify wind direction and position yourself upwind of the hazard.
- C. Advise Communications to notify the Fire Department of a hazardous material (hazmat) situation and provide as much information as possible.
- D. Rescue persons in the hazard area if possible, but avoid contact with the hazardous material.
- E. Eliminate the possibility of ignition from smoking, flares, electricity, or other sources.
- F. Evacuate the area as required.
- G. Isolate the area until the hazard is cleared.

VI. FATALITY INVESTIGATOR CALL OUT PROCEDURE

- A. If there is an accident with a fatality or the possibility of a fatality, the patrol supervisor on duty will request the on-call fatality investigator unless there is a fatality investigator on duty.
- B. The on-call investigator will proceed to the accident scene, assess the situation, and request assistance from the patrol supervisor as required. Complicated accidents may require the presence of additional fatality investigators as determined by the on-call investigator in consultation with the patrol supervisor.

VII. FLEET ACCIDENTS

- A. An officer involved in a traffic accident will immediately notify the supervisor.
- B. The supervisor must respond to all fleet accidents to complete a city accident form and ensure compliance with General Order 2.15, "Post Accident Drug/Alcohol Testing."
- C. If possible, a traffic accident investigator will investigate the accident. Investigators should consider photographs and measurements in all but the most minor accidents. Photographs will be down loaded to the S drive, S:\City of Lewisville\Police\Fleet Accident Photographs and attached to the Accident/Injury Report through the city intranet.
- D. All fleet accidents will be reported to the chief of police through the chain of command.

VIII. SAFETY AT ACCIDENT LOCATIONS

- A. Investigating officers must do everything reasonable to prevent further injury or damage at accident scenes to include:
 - 1. Remove vehicles from road as quickly as practical.
 - 2. Proper positioning of emergency vehicles and operation of emergency lights to divert traffic away from the accident.
 - 3. Moving all persons out of the roadway except those necessary for providing medical service, investigation or vehicle removal.
 - 4. Wearing reflective safety vests.
 - 5. Establishing appropriate flare or cone patterns to divert traffic away from the accident if the accident occurs on multi-lane roadways, roadways with a speed limit greater than 30 mph, or at other locations with poor visibility.
 - 6. Keeping all persons from standing between vehicles which are parked on the shoulder of the roadway.

IX. HIT AND RUN ACCIDENTS

- A. An accident where one or more parties involved fail to comply with requirements for accident reporting and exchanging of information is classified as a hit and run

accident. Officers investigating a hit and run accident must follow these guidelines:

1. Complete the state accident report (CR-3). Indicate this is a hit and run accident by checking the "Hit and Run" box in the header of the CR-3 report.
2. Complete an offense report listing the victim party as complainant.
3. Collect all pertinent information at the scene according to Section II of this order.
4. Follow all reasonable leads in an attempt to solve the case before the end of the shift on which the accident is initially reported.
5. Hit and run accident investigators should attempt to dispose of their investigation as soon as possible but no longer than 10 days from the date of assignment. Complainants are extremely interested in the outcome of their investigation, so communication with them is crucial. Officers assigned for follow-up will attempt verbal communication with the complainant whenever he receives new information or satisfies a lead. If no new information is known within the first three days of follow-up, make contact with the complainant to inform him and to ask if he has additional information.
6. When the investigation is complete, the Hit and Run Investigator will inform the complainant verbally of the outcome. If verbal notification is not reasonable, a letter indicating the results of the investigation will suffice. The last supplement shall indicate how the complainant was notified and include a closure recommendation approved by a supervisor. Dispositions will follow the same guidelines as the UCR.
7. All information to complete the accident report will be forwarded to the records section, so an amended copy can be forwarded to all parties in the accident and the state.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.29

**SUBJECT: INCIDENTS INVOLVING CRIMINAL
JUSTICE EMPLOYEES**

**DATE OF ISSUE:
09/15/95**

POLICY

Laws and ordinances exist for the benefit of all people. Employment by a criminal justice agency is not a factor which may influence discretion exercised by a Lewisville Police Department (LPD) employee.

PROCEDURE

**I. RESPONSIBILITIES OF LPD EMPLOYEES IN SITUATIONS INVOLVING
EMPLOYEES OF CRIMINAL JUSTICE AGENCIES**

For the purpose of this order, criminal justice employees means any full-time, part-time, or volunteer employee of any governmental agency engaged in law enforcement, prosecution of offenders, adjudication of offenders, or corrections. (Corrections include jailers, probation officers, and parole officers).

- A. Take appropriate law enforcement action.
- B. Treat criminal justice employees as any other person in a similar situation.
- C. Notify your supervisor if you have significant conflict with a criminal justice employee.
- D. Notify your supervisor whenever you encounter a criminal justice employee who is a suspect in an offense.
- E. Request the presence of a supervisor at the location of the following incidents involving criminal justice employees:
 - 1. Domestic violence.
 - 2. Crimes against persons.
 - 3. Driving while intoxicated.
 - 4. Traffic accidents with serious injuries.
 - 5. Fail to leave identification at the scene of an accident.

- F. File appropriate reports in accordance with LPD policy.

II. RESPONSIBILITIES OF LPD SUPERVISORS

- A. Ensure incidents involving criminal justice employees are processed impartially.
- B. Ensure appropriate enforcement of the law.
- C. Immediately notify the Office of the Chief of Police (ADO if after hours) of any incident involving a criminal justice employee which results in bodily injury or greater to any individual.
- D. Report all incidents involving criminal justice employees to the Chief of Police by memo through Blue Team as soon as possible. Attach copies of applicable reports.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.30

**SUBJECT: LICENSE TO CARRY HANDGUN
ENFORCEMENT**

**DATE OF ISSUE:
11/15/95**

POLICY

This directive provides guidelines for the exercise of discretion in the enforcement of Revised VTCS Article 4413 (29ee) "License to Carry a Concealed Handgun" and Texas Penal Code, Section 46.035, "Unlawful Carrying of Handgun by License Holder." Interaction of these statutes with other law is complex. This directive intends to maximize safety while ensuring compliance with the intent of the Texas legislature.

PROCEDURE

I. REQUIREMENT TO DISPLAY LICENSE (G.C. 411.205)

- A. If a license holder is carrying a handgun on or about the license holder's person when a magistrate or peace officer demands that the license holder display identification, the license holder shall display both the license holder's driver's license or identification certificate issued by DPS and the license holder's handgun license.
- B. Officers should not ask citizens to display handgun licenses or identification unless there is a reasonable need for such information.
 - 1. Officers should be aware that certain members of the public may attempt to induce a confrontation with police to claim their second amendment rights are being violated.
 - 2. Failure to display a handgun license on demand is not a criminal offense because there is no penalty. Officers should use discretion before attempting to detain a person without reasonable suspicion solely to view a handgun license. Some behavior that may warrant further detention (Terry Stop) include, but not limited to:
 - a. A person not carrying a handgun in a belt or shoulder holster;
 - b. A person displaying a handgun in a manner to alarm others;
 - c. A person the officer has a reasonable belief the person has committed, committing, or is about to commit a criminal offense.
- C. The handgun license law does not require citizens who are not licensed to carry handguns to display identification to officers.

II. SEIZURE OF HANDGUN AND LICENSE (G.C. 411.206)

- A. If a peace officer arrests and takes into custody a license holder who is carrying a handgun, the officer shall seize the license holder's handgun and license as evidence. If the arrested person is not carrying a handgun, do not seize the license.
- B. The provisions of Article 18.19, CCP relating to the disposition of the weapons seized in connection with criminal offenses, apply to a seized handgun.
- C. Any judgment of conviction entered by any court for an offense under Section 46.035, Penal Code, must contain the handgun license number of the convicted license holder. A certified copy of the judgment is conclusive and sufficient evidence to justify revocation of a license under Section 411.186(a)(4), Government Code. Do not seize the person's driver's license or identification card in conjunction with the handgun seizure.
- D. If an officer believes an arrest is grounds for revocation or suspension of the concealed handgun license, he should complete a DPS affidavit.

III. RIGHTS OF BUSINESSES

- A. Private businesses may post signs to indicate entry on the property with a handgun by a license holder is forbidden.
- B. Penal Code Section 30.06 provides the language to be included on signs to indicate license holders are forbidden to carry a concealed handgun.
- C. Penal Code Section 30.07 provides the language to be included on signs to indicate license holders are forbidden to open carry.
- D. In general, there is no offense for licensees carrying handguns on property where the property owner wants to prohibit handguns. Officers called to deal with this issue should apply the standard procedure for criminal trespass incidents.
- E. Prohibition signs are required at licensed hospitals and nursing homes. Carrying a handgun at these locations is an offense (Class A).

IV. RIGHTS OF EMPLOYERS

- A. A public or private employer may prohibit the carrying of a handgun by a license holder that is an employee from carrying the firearm on the premises of the business.
- B. "Premises" means a building or portion of a building. The term does not include

any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

- C. Premise has the meaning defined in Penal Code, Section 46.035(f)(3).
- D. Labor Code, Section 52.061 does not prohibit an employer from prohibiting an employee who holds a license to carry a firearm from carrying the firearm or ammunition on the premises of the employers business.

V. RIGHTS OF EMPLOYEES

- A. A public or private employer may not prohibit an employee who holds a license to carry a handgun from transporting or storing a firearm or ammunition in a locked, privately owned motor vehicle in a parking lot, parking garage, or other parking area the employer provides for employees.
- B. This does not apply to a vehicle owned or leased by a public or private employer and used by an employee in the course of employment

VI. AUTHORITY OF PEACE OFFICERS TO DISARM (G.C. 411.207)

- A. The intent of the legislature is that a licensed person be able to carry a handgun in accordance with the law without interference.
- B. A peace officer who is acting in the lawful discharge of the officer's official duties may disarm a license holder at any time the officer reasonably believes it is necessary for the protection of the license holder, officer, or another individual.
 - 1. To have reasonable belief, the officer must be able to articulate why he believes there is a threat to public safety.
 - 2. Officers may not disarm a license holder as a matter of routine.
 - 3. When an officer decides to disarm a license holder, he must weigh the possibility that a greater threat could exist by removing a handgun secured in an authorized holster.
 - 4. Because of the wide variety and condition of handguns, officers should handle them as little as possible. Observe all safety rules contained in G.O. 4.3, "Firearms."
 - 5. The peace officer shall return the handgun to the license holder before discharging the license holder from the scene if the officer determines that the license holder is not a threat to the officer, himself, or another individual,

and if the license holder has not violated any provisions of Government Code 411 or committed any other violation that results in the arrest of the license holder.

**VII. UNLAWFUL CARRYING OF HANDGUN BY LICENSE HOLDER
(P.C. 46.035)**

- A. A license holder commits an offense if the license holder carries a handgun on or about the license holder's person under the authority of GC 411, and intentionally displays the handgun in plain view of another person in a public place. It is an exception that the handgun was partially or wholly visible but was carried in a shoulder or belt holster by the license holder.
- B. The law also establishes the following offenses. In each case the conduct must be intentional, knowing, or reckless. These stipulations permit a degree of discretion in situations which are accidental.

Carrying a handgun is prohibited:

1. On the premises of a business which derives 51% or more of its income from the sale of alcoholic beverages for on-premises consumption. These businesses should have the red 51% signs posted and be visible to the public.
2. On the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event (must be posted with 30.06 and 30.07 signs);
3. On the premises of a licensed hospital or nursing home unless the licensee has written authorization of the hospital or nursing facility administration, as appropriate (must be posted with 30.06 and 30.07 signs);
4. In an amusement park (no locations in Lewisville, but must be posted with 30.06 and 30.07 signs);
5. On the premises of a church, synagogue, or other established place of religious worship (must be posted with 30.06 and 30.07 signs);
6. In the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to GC 551, and the entity provided notice as required by the chapter. (30.06 and 30.07 signs should be posted outside of the meeting rooms that carrying a handgun is prohibited);

7. While intoxicated; or
 8. Places weapons prohibited as outlined in PC 46.03.
- C. “Premises” means a building or portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

VIII. GOVERNMENTAL ENTITY MEETINGS

- A. Officers may be summoned or assigned to governmental entity meetings that are open to the public. The room(s) where the meeting is taking place must have signage immediately outside of the entrance to the room(s) indicating handguns are prohibited.
- B. Officers assigned to work the door at these governmental meetings will casually remind attendees upon entry that they are prohibited from carrying handguns into the room.
- C. The goal of the officer is to obtain compliance with the signage. Attendees should be afforded the opportunity to abide by the sign, even if they have entered the room.
- D. Attendees who refuse to abide by signage should be arrested for criminal trespass and disarmed. The signage serves as the criminal trespass warning.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.31

SUBJECT: GANG IDENTIFICATION CRITERIA

**DATE OF ISSUE:
10/01/01**

POLICY

It is important to gather information concerning criminal combinations (gangs) in order to make accurate risk assessments and successfully conclude criminal investigations. Many people; however, demonstrate behavior associated with gang culture but are not members of gangs. The purpose of this directive is to establish department criteria for gathering accurate information about gangs while protecting rights of innocent persons.

PROCEDURE

I. GANG MEMBERSHIP

- A. Officers should identify individuals as gang members in appropriate reports if they meet the criminal combination criteria established in Art. 61.02, Texas CCP.
- B. When identifying a person as a gang member, the officer must describe the applicable criteria in the report or contact card.

II. GANG ASSOCIATES

There may be reason to believe an individual has a close relationship with a particular gang (previously identified by LPD), but this individual does not meet gang membership criteria defined in this directive. In such cases, officers may describe such an individual as a gang associate in appropriate reports.

III. GANG RELATED OFFENSES

- A. Officers should describe an offense as gang-related if a person meeting gang membership criteria is a suspect and the criminal activity benefits or promotes the gang in some way.
- B. Individual gang members may commit crimes which are not gang related. For example, a known gang member may assault his mother. There would be a strong probability this act is an inter-personal conflict known as Family Violence, not a gang crime. Such an incident should not be reported as a gang offense.

IV. SUPERVISORY RESPONSIBILITY

Supervisors must closely check reports concerning gang activity to ensure that this directive is correctly applied.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.32

SUBJECT: INCIDENT ALARMS AT CITY FACILITIES

**DATE OF ISSUE:
03/31/99**

POLICY

Disturbances are likely to occur at City Hall and the Municipal Annex due to the regulatory nature of government. Some individuals are likely to use violence at the local level because of disaffection with government overall and society in general. For this reason, special procedures are necessary for the protection of all citizens and government employees at City Hall. The Department will respond promptly and effectively to incident alarms at City Hall.

PROCEDURE

I. STANDARD FIRE AND INTRUSION ALARMS

- A. This directive does not refer to standard intrusion or fire alarms.
- B. Refer to General Order 4.19, Alarm Response and Procedure Orders COM-51, Alarms (Fire) and COM-52, Alarms (Robbery/Holdup) for procedures on standard alarms.

II. CITY FACILITIES INCIDENT ALARMS (DIRECT TO POLICE DEPARTMENT)

- A. Manually activated panic alarms are located at:

Old Town City Hall:

- 1. Finance Reception Area (Northeast wing)
- 2. Customer Service Counter (Northeast wing opposite Human Resources)
- 3. City Manager's Secretary (Southeast wing)
- 4. Human Resources (Southwest wing opposite Customer Service)
- 5. City Council Chambers

Municipal Annex:

1. Municipal Court Room– Judge’s Bench
2. Municipal Court Room – Court Clerk’s Desk
3. Court clerk’s payment windows (3) – a button is located at each window

Library:

1. Children’s Library Desk
2. Service Desk First Floor
3. Information Desk
4. Maker Space (wireless trigger)
5. Accounts Office (wireless trigger)
6. Adult Desk Second Floor

B. Intrusion alarms activated by motion detectors are located at:

1. Library
2. Municipal Court
3. City Office’s (lobby door to administrative offices)

C. An alarm from any positions listed in Section A (01-08) indicates a need for an immediate police response due to the potential for serious bodily injury. Such an alarm will be given Priority 1 status. These alarms are not intended to call for routine police service.

D. An alarm from any position listed in Section B is a Priority 2 alarm.

III. COMMUNICATIONS RESPONSIBILITIES

A. Classify any City Hall or Municipal Annex panic alarm as Priority 1.

- B. Assign the two closest police officers. Look for officers available at the police station or NRO office. Officers are available unless they are actually dealing with a prisoner and cannot be relieved by a Detention Officer.
- C. Notify the Watch Commander.
- D. Telephone the alarm source and attempt to determine the nature of the problem.
 - 1. Circumstances may not permit open communication over the phone. Listen for background information.
 - 2. Consider that personnel may be hostages. Act accordingly when soliciting information.
 - 3. Telephone contact with the mayor's position is not possible.
- E. Be alert to incoming information from other sources.
- F. Relay all information to responding officers.
- G. Increase or decrease the number of responding officers as necessary.

IV. RESPONSIBILITY OF RESPONDING OFFICERS

- A. Make a silent approach in the vicinity of City Hall or the Municipal Annex to minimize risk of injury to victims. (Refer to General Order 4.8, Emergency Vehicle Operation).
- B. Be prepared for any eventuality. Accurate information will probably not be available.
- C. Instead of assuming observation positions outside the building, responding officers must enter City Hall or the Municipal Annex unless there are indications on arrival that such a maneuver would cause an unacceptable risk to officers or people inside.
- D. Do not enter with a shotgun since there is a likelihood of a number of people in a confined area.
- E. Do not initially display firearms unless there actually is information indicating a situation authorizing deadly force.

- F. Use available cover and concealment and proceed to the source of the alarm.
- G. Watch for threats in other locations.
- H. Locate the source of the alarm and determine the nature of the problem.
- I. Take appropriate action to eliminate hazards and restore order.

V. PANIC ALARM – CITY COUNCIL CHAMBERS

- A. On entering the Council Chambers, look for the Mayor, City Manager, Police Chief, or other authority to provide additional information.
- B. This response will be to an open government meeting. In the absence of a clearly discernible threat, officers may encounter individuals who believe they are exercising First Amendment Rights. Officers must be ready for a high-profile situation which could generate significant subsequent scrutiny. Officers must be prepared to use all their skills in regards to safety, mediation, and arrest if necessary.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.33

SUBJECT: FIRST OFFENDER PROGRAM

**DATE OF ISSUE:
07/16/96**

POLICY

Under authority of the Texas Family Code Section 52.031 and the Denton County Juvenile Board, the Lewisville Police Department participates in a First Offender Program. The purpose of the program is to provide psychological intervention for children who first begin minor criminal behavior. The objective of this intervention is to eliminate the primary causes of this behavior and establish appropriate ways to meet the young persons' emotional and psychological needs.

PROCEDURE

I. COUNSELING AGENCY

- A. The counseling agency used by the Lewisville Police Department (LPD) for the First Offender Program is Youth and Family Counseling, an independent, not for profit agency operating under the U.S. Tax Code, 501(c)(3).
- B. Youth and Family Counseling, located at 601 Crosstimbers, Suite 120, Flower Mound, Texas 75028, is the only agency approved by the Denton County Juvenile Board for use by LPD in a First Offender Program.
- C. Youth and Family Counseling is a United Way of Dallas affiliate and receives some of its funding from the City of Lewisville annual budget as determined by the Lewisville City Council.

II. REFERRAL RESPONSIBILITY

- A. The Juvenile Section of the Criminal Investigation Section (CIS) is responsible for referral of eligible children detained by LPD to the First Offender Program.
- B. The CIS Lieutenant will designate specific employees assigned to the Juvenile Section to identify eligible offenders and perform administrative tasks related to the program.
- C. The CIS Lieutenant is responsible for insuring selection and referrals comply with the Texas Family Code and Directives of the Denton County Juvenile Board.

- D. The CIS Lieutenant will report on the effectiveness and progress of the program as requested by the Denton County Juvenile Board and the Denton County Juvenile Probation office.

III. ELIGIBILITY CRITERIA

- A. LPD may refer children to the First Offender Program taken into custody for:
 - 1. Conduct indicating a need of supervision (defined in 51.03, Family Code); or
 - 2. Delinquent conduct (defined in 51.03, Family Code) other than conduct that constitutes:
 - a. A felony of the first, second, or third degree, an aggravated controlled substance felony, or a capital felony; or
 - b. A state jail felony or misdemeanor involving violence to a person or the use or possession of a firearm, illegal knife, club or prohibited weapon.
 - c. Children detained for a drug offense of any level to include possession of drug paraphernalia, can not be referred to the program.
- B. Children can not be referred to the program if the officer transported the child to the Denton County Juvenile Detention Center for custody.
- C. Children must be residents of Denton County to be eligible for the program.
- D. Children and parents must volunteer for the program; otherwise, the case will be forwarded to the Denton County Juvenile Probation office.
- E. The child must not have previously been adjudicated as having engaged in delinquent conduct.
- F. All referrals must be documented in writing.
- G. The child referred may not be detained in law enforcement custody.

- H. The parent, guardian, or other custodian of the child must receive notice that the child has been referred for disposition under the First Offender Program. The notice must include the information listed in 52.031 (F), Texas Family Code.

IV. DISPOSITION UNDER THE FIRST OFFENDER PROGRAM

Disposition under this program may include:

- A. Voluntary restitution to victim.
- B. Voluntary community service restitution by the child.
- C. Periodic reporting by the child to Youth and Family Counseling.

V. SUCCESSFUL PROGRAM COMPLETION

- A. The case of a child who successfully completes the First Offender Program is closed and may not be referred to the juvenile court unless the child is taken into custody under Section 52.01, Texas Family Code, before the 90th day after the date the child completes the program for conduct other than the conduct for which the child was referred to the First Offender Program.
- B. Photographs and fingerprint records of children who have completed the First Offender Program will be destroyed. This information will not be sent to the Texas Juvenile Justice Information System.

VI. FAILURE TO COMPLETE PROGRAM

If the child does not complete the First Offender Program, the case will be referred to the juvenile court.

VII. STATEMENTS BY THE CHILD

A statement made by a child to anyone associated with the First Offender Program may not be used against the child in any juvenile or criminal proceeding.

VIII. REPORTING

In December of each year, the CIS Lieutenant will report the following to the Denton County Juvenile Board:

- A. The last known address of each child referred to the First Offender Program, including the census tract;
- B. The gender and ethnicity of the child; and
- C. The offense committed by the child.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.34

SUBJECT: SEXUAL ASSAULT INVESTIGATIONS

**DATE OF ISSUE:
04/01/98**

POLICY

The Lewisville Police Department's policy is to investigate sexual assaults with compassion and consideration. The objective is to minimize the trauma to the victim while obtaining information necessary to identify and apprehend the perpetrator.

PROCEDURE

I. COMMUNICATIONS RESPONSIBILITIES

- A. Provide as much comfort to the victim as possible while gathering information. Give the information to all units as soon as possible.
 - 1. Determine the medical condition and needs of the victim and dispatch EMS if warranted.
 - 2. Obtain the specific location of the victim. Remember that the offender could still be on the premises.
 - 3. Get a description of the offender and his vehicle as well as the direction of departure.
 - 4. Determine if the victim has access to weapons and notify responding officers.
 - 5. If the offender left in a vehicle, give the description to responding officers and area agencies.
 - 6. Ask if the offender was armed and provide that information.
 - 7. Request the victim not to change clothing, bathe, or touch anything in the area of the attack or at points of entry or exit.
- B. Stay on the phone with the victim until a patrol unit arrives.
 - 1. Comfort the victim and assure the victim that help is on the way.
 - 2. Be alert for additional information that the victim might remember.

II. PATROL RESPONSIBILITIES

- A. The primary concern is the well-being of the victim. As circumstances permit, obtain jurisdiction information and attempt to apprehend the offender.
1. Search the premises for officer and victim safety.
 2. Provide first aid and request EMS as required. Do not discuss what the city will or will not pay for.
 3. Be patient and show respect for personal dignity.
 4. Obtain a description of the suspect and his direction of travel. Relay the information to the communications center for re-broadcast.
 5. If the victim seems to want an officer of the same sex present, comply if possible.
 6. Provide privacy for the victim if possible. Only one officer should ask questions.
 7. Limit questioning to matters related to the identity of the victim and description and location of the suspect.
 8. Ask only necessary questions to establish what type of assault occurred.
 9. Protect the crime scene to include bedding and clothing, and ask the victim not to wash until a medical exam has been performed.
 10. Attempt to locate and identify witnesses to the offense or people who may have noticed suspicious persons in the area.
 11. Write an offense report detailing your activity. Additional patrol officers responding to the call will provide a supplement report for information they have obtained.
 12. If a CID response is not needed, the primary officer may arrange an examination by a Sexual Assault Nurse Examiner (SANE), if needed.
 13. Provide a department supplied written notice in English and Spanish providing information required by Texas Code of Criminal Procedure 56A.

III. CID RESPONSIBILITIES

A. The investigator assigned will:

1. Proceed to the location of the offense and manage the criminal investigation. Arrange an examination by a Sexual Assault Nurse Examiner (SANE) if needed.
2. Request assistance as needed.
3. Ensure a proper crime scene search is conducted.
4. Locate and interview witnesses.
5. Write a supplemental report and conduct a more detailed interview with the victim.
6. Notify the victim that the use of a pseudonym is permitted by Texas law and explain the rights guaranteed to victims of violent crimes.
7. Maintain contact and inform the victim of the progress of the investigation. Also, tell them the name of the crime victim's coordinator and about the crime victim's compensation program.

IV. SEXUAL ASSAULTS BY FAMILY MEMBERS

A. Many sexual assaults reported to police are committed by family members.

1. Typically, these assaults are a series of attacks over a period of time. Victims are reluctant to report these offenses because of family dynamics.
2. Investigations of these offenses require sensitivity and patience.
3. Frequently, family sexual assaults involve child victims and a concurrent investigation by Child Protective Services. Even so, LPD retains the

responsibility to investigate criminal offenses and file cases with the district attorney when appropriate.

4. Sometimes a child who is physically abused is also sexually abused. Be alert for this possibility when investigating physical abuse reports. If the victim is a child, an offense report filed based upon information obtained from a parent or legal guardian is sufficient for CIS to begin an investigation.
- B. Parental or spousal relationships have no bearing on whether or not a sexual assault has occurred. A report of a sexual assault involving a spouse or parent as suspect must be investigated as any other sexual assault report.

V. GENERAL PROCEDURES

- A. If a sexual assault victim comes into the lobby to report the offense, remove the victim to the privacy of an office or interview room as soon as possible. Do not interview the victim in a public area.
- B. Generally, if not acute, a patrol officer may interview the victim and take the initial offense report. The complexity of the investigation and trauma to the victim may require an investigator even if several days have elapsed since the offense.
- C. For victims 14-years-old or older, if acute, SANE exams will be performed at Texas Health Resources / Presbyterian in Denton (3000 North Interstate 35). The hospital has a SANE nurse on call 24 hours per day.
- D. For victims 13-years-old and younger, follow the below protocols:
 1. Acute Exams – Exams will be performed at Children’s Medical Center (7601 Preston Road, Plano). Officers should call the Collin County Sexual Assault hotline to let them know they are coming ((972) 885-0951).
 2. Non-Acute Exams – These exams should be scheduled by calling REACH at (214) 456-6919 or by contacting the MDT Coordinator at the Childrens’ Advocacy Center for North Texas.
- C. The department will pay for a medical forensic exam to collect evidence. Any cost for medical treatment is the responsibility of the victim.

- D. Any Sworn Officer, Detective or Crime Scene Technician may pick up the SANE Kit when it is available, provide the SANE paperwork to the appropriate parties and complete a supplement to the original case report.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.35

**SUBJECT: CITIZEN POLICE ACADEMY
ALUMNI VOLUNTEERS**

**DATE OF ISSUE:
11/12/03**

POLICY

The Lewisville Police Department encourages citizen participation in community safety efforts. An organized and trained group of citizen volunteers operating within parameters established by the Department can provide valuable assistance in the identification and reporting of criminal activity and public safety hazards.

PROCEDURE:

I. MEMBERSHIP REQUIREMENTS:

- A. Members must be graduates of the Lewisville Police Department Citizens Police Academy and also a member in good standing of the Citizen Police Academy Alumni Association (LCPAAA).
- B. A person who has been convicted of a felony cannot be a member.
- C. A person who has been convicted of Class A or B misdemeanors within the past five years cannot be a member.
- D. A person who has been convicted of DWI within the past 10 years cannot be a member.
- E. A person who has two or more moving violations on his/her driver's license within the past two years cannot be a member.
- F. Members must maintain a valid Texas driver's license and be eligible for the City's liability insurance if participating in one of the programs requiring the operation of a motor vehicle owned by the City of Lewisville or show proof of financial responsibility if operating a personally-owned motor vehicle as part of a LCPAAA program.
- G. A person who has been convicted of any offense that might discredit the Lewisville Police Department cannot be members. The determination is to be made by the Chief of Police.
- H. Members must be 21 years of age or older.

- I. Members must successfully complete a background check.
- J. Members must be U.S. citizens.
- K. Members will refrain from consuming any alcoholic beverages for a minimum of eight hours prior to volunteer service.

II. AUTHORITY OF VOLUNTEERS

- A. While participating in a volunteer activity, members must not attempt to arrest anyone even though there may be authority in state law for citizen arrests.
- B. While participating in volunteer activity, members must not use force except in self defense in compliance with the Texas Penal Code.
- C. Members must not identify themselves as associated with the Lewisville Police Department in any manner, at any time, in order to seek a personal benefit for themselves or any third person.
- D. When not engaged in volunteer activity, members must not identify themselves as members or associates of the Lewisville Police Department while using force, arresting anyone, or in any disagreement or conflict with any person or entity.
- E. Members must not carry any weapons (including tear gas, pepper spray, and mace) on their person or in their vehicle while participating in a volunteer activity, even if they are licensed to carry weapons.

III. COORDINATION OF VOLUNTEER ACTIVITIES

- A. The Chief of Police will appoint a Program Administrator for all volunteer activity who will be the rank of Lieutenant with the Lewisville Police Department. The Volunteer Coordinator from each program will assist the appointed Program Administrator.
- B. Responsibilities of the Program Administrator include:
 - 1. Scheduling program activities;
 - 2. Providing schedules to the Chief of Police;
 - 3. Providing regular activity reports to the Chief of Police;

4. Coordinating group training with the LPD training coordinator; and
 5. Maintaining a file of each volunteer containing the participant's application, waiver of liability, training record, and a copy of his/her driver's license. The files will be stored in the police department's administration section.
- C. A Volunteer Coordinator will be designated from members of each program.
- D. Responsibilities of the Volunteer Coordinator include:
1. Provide information to all volunteers wanting to participate in the program;
 2. Maintain a record of all volunteer hours performed by each individual volunteer;
 3. Submit regular activity reports to the Program Administrator; and
 4. Work closely with the Program Administrator as a liaison between volunteers and the Lewisville Police Department.

IV. LIMITATIONS

- A. Volunteer members are not covered by any City of Lewisville insurance policy or Worker's Compensation Policy, except for automobile liability insurance when operating a city-owned vehicle.
- B. Volunteer members do not receive compensation from the City of Lewisville as payment for services rendered.
- C. Volunteer members may not use any City of Lewisville equipment without prior approval of the Chief of Police.

V. VOLUNTEER PROGRAMS

- A. Citizens on Patrol (COP)

1. Each volunteer member who participates in the COP program must receive 16 hours of training from the Lewisville Police Department on the following topics:
 - a. Legal authority of citizens and civil liabilities;
 - b. COP patrol procedures;
 - c. COP relationship to Lewisville Police Department organization;
 - d. General Orders: "Citizen Volunteers";
 - e. Communication procedures; and
 - f. CPR and First Aid
2. "COP" members may patrol areas within the city limits of Lewisville in their vehicles or on foot. The purpose of the "COP" is observation and reporting.
3. The purpose of the "COP" program is to report criminal activity or safety hazards observed to the Lewisville Public Safety Communications Center.
4. Reports may be made by phone or public safety radio, if approved by the Chief of Police.
5. "COP" members will place marking, approved by the Chief of Police, on their vehicles identifying them while on patrol or operate a city-owned vehicle with appropriate markings.
6. "COP" members will not approach the scene of a police call or crime unless directed to do so by a police officer.
7. "COP" members are required to dress appropriately in a professional manner. Suggested attire includes slacks or nice jeans for both men and women and shirts with collars. Jackets or blazers are optional.

B. Front Desk Assignment

1. Each volunteer who participates in a front desk assignment must receive four hours of training from the Lewisville Police Department on the following topics:
 - a. Customer Service;
 - b. General Order (Citizen Volunteers);
 - c. Lewisville Police Department operations; and
 - d. Reporting documents.
2. All information collected through volunteers working the front desk is confidential and will not be disseminated outside the department.
3. Volunteer members will not carry any official police documents or reports away from the police department.
4. Volunteer members are required to dress appropriately in a professional manner. Suggested attire includes slacks or nice jeans for both men and women and shirts with collars. Jackets or blazers are optional.

C. Child Identification Program

1. Provide parents the opportunity to have identification kits prepared on their children.

D. Other programs and activities that are approved by the Chief of Police.

VI. SANCTIONS

- A. The Chief of Police may remove any volunteer member from participating in any program for the following reasons:
1. Arrest or conviction for any felony, Class A or B Misdemeanor, or any offense or action which might discredit the Lewisville Police Department or arrest for Class C Misdemeanor while on duty as a volunteer (the determination is to be made by the Chief of Police);
 2. Violation of this written directive;

3. Refusal to comply with a lawful order from a police officer or police supervisor; or
4. Sustained complaints in regard to harassment, abuse of position, or customer service as a volunteer member.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.36

**SUBJECT: PRISONER SECURITY AT A
MEDICAL FACILITY**

**DATE OF ISSUE:
04/24/98**

POLICY

Officers transporting prisoners to medical facilities for treatment should take reasonable precautions to prevent escape and to protect other patients and medical staff from unlawful behavior on the part of the prisoner.

PROCEDURE

I. OFFICER'S RESPONSIBILITIES

- A. Comply with all applicable LPD policy and procedure concerning prisoner restraint, search, and transport. (See LPD G.O. 4.2 and 4.10). The following exceptions are authorized:
 - 1. Remove restraints at the request of a physician to facilitate medical treatment.
 - 2. The physician may request that you leave the treatment room. In that case, stand outside the doorway until treatment is completed or until the physician requests you to re-enter. Secure any alternative exits from the examining room.
- B. Inform medical staff of all known hazards in regard to the prisoner.
- C. Do not socialize with medical staff or other patients to the point it detracts from your ability to monitor your prisoner.
- D. Do not leave the prisoner at any time unless relieved by another police officer.

II. PRISONERS ADMITTED TO MEDICAL FACILITY

- A. After initial treatment (usually in the emergency room), the prisoner may be admitted to the facility for observation or more extensive treatment. If so, comply with the following:
 - 1. Notify the Watch Commander to assess the need for maintaining custody of the prisoner. He will also arrange appropriate staff to guard the prisoner if he determines that it is necessary to maintain custody of the prisoner.

2. Medical facility staff may request you sign a form containing educational guidelines for prisoner security. Comply with this request.
 3. Do not sign any form that states the City of Lewisville or the Police Department will be responsible for the prisoner's medical expense.
- B. Do not assist medical staff with prisoner treatment. Do not perform any medical procedures on the prisoner.
 - C. Medical information regarding the prisoner is confidential. Do not use any medical information without consent of the prisoner or a court order.
 - D. Only sworn police officers are authorized to guard prisoners at medical facilities.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.37

SUBJECT: BIAS-BASED PROFILING PROHIBITED

**DATE OF ISSUE:
10/31/01**

POLICY

All people have the right to be free from unwarranted government interference. Individuals may be stopped or detained only when there is reasonable suspicion to believe they have violated, are violating, or are about to violate a law or ordinance. Employees of the Lewisville Police Department are strictly prohibited from bias based profiling.

DEFINITIONS

“Bias-Based Profiling” means a law enforcement-initiated action based solely on a trait common to a specific group. This includes those traits defined below in “racial profiling,” as well as gender, sexual orientation, religion, economic status, age, and cultural group (or any other identifiable group). (Ref. Article 2.132 and 2.135 of the Texas Code of Criminal Procedure).

“Race or ethnicity” means the following categories:

- Alaska native or American Indian;
- Asian or Pacific Islander;
- black;
- white, and
- Hispanic or Latino

“Racial Profiling” means a law enforcement-initiated action based on an individual’s race, ethnicity, or national origin rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity.

PROCEDURE

I. BIAS BASED PROFILING IS PROHIBITED

- A. If an allegation of bias-based profiling is sustained, the offending employee will be disciplined in accordance with City of Lewisville and Lewisville Police Department disciplinary policies.
- B. The Department will provide the accused employee with a copy of any existing audio or video recording of an occurrence creating an allegation of bias-based profiling.

II. TRAINING

- A. Officers shall complete a training program on racial profiling as specified by TCOLE not later than the second anniversary of the date the officer is licensed by TCOLE: or,
- B. The date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

III. COMPLAINTS

- A. Refer anyone who wants to file a complaint regarding bias-based profiling to the IA unit.
- B. Information on how to file IA complaints will be available in the police lobby.

IV. COLLECTION OF INFORMATION ON MOTOR VEHICLE STOPS

- A. Officers will report the following information on all motor vehicle stops resulting in a citation, arrest, or warning (written or verbal), per CCP 2.132 & 2.133:
 - 1. The person's gender;
 - 2. The person's race or ethnicity as determined by the officer to the best of the officer's ability;
 - 3. Whether the officer conducted a search as a result of the stop and if so, whether the person detained consented to the search.
 - a. If a search was conducted; officers will also report:
 - i. Reason for the search;
 - ii. If contraband discovered;
 - iii. Description of contraband recovered;
 - 4. Whether the officer knew the race or ethnicity of the individual detained before detaining that individual;
 - 5. Whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
 - 6. The location of the stop; and
 - 7. The reason for the stop;
 - 8. The result of the stop;
 - 9. The reason for any arrest.
- B. Report the information in a manner designated by the Department.

V. REPORTING

- A. The Chief of Police will submit an annual report of information collected in (Section IV) to the City Council by March 1st each year.
- B. The annual report will also contain information relating to each complaint filed alleging racial profiling.

VI. PUBLIC EDUCATION

- A. The Support Bureau will present programs regarding the Department's complaint process to interested groups.
- B. The Public Information Coordinator will include information on the Department's compliment and complaint process with each Chief's Executive Summary published to social media and encourage electronic and print media to present information regarding the Department's compliment and complaint process.

VII. MANAGEMENT

- A. If an allegation of racial profiling is made, the relevant recordings will be saved as evidence.
- B. The commander of each unit whose officers make motor vehicle stops in the routine performance of their official duties will randomly review motor vehicle stops. The commander will direct a supervisor to review at least three random videos of motor vehicle stops, at least every six months, per officer.
 - 1. Random video reviews should include both the in-car and body worn cameras.
 - 2. Document the review as designated by the Department along with reviews conducting in the course of investigating a complaint.
 - 3. Initiate appropriate action if deviations from this directive are detected.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.38

SUBJECT: CIVIL DISPUTES

**DATE OF ISSUE:
01/15/95**

POLICY

Frequently officers are called to mediate disputes in which there are no violations of law. This directive explains the officer's responsibilities in such situations. The primary objective is to maintain the peace and enforce criminal law.

PROCEDURE

I. CIVIL DISPUTES

- A. Arguments arise between neighbors, merchants, and customers. Typically these involve contractual disputes, dissatisfaction over service, or civil torts and do not represent issues that can be resolved by law enforcement.
- B. The officer dealing with an incident of this nature should recommend private mediation, legal counsel, or small claims court (Justice of the Peace if the amount of money involved is less than \$10,000).
- C. The officer should always evaluate the situation to see if the elements of criminal offenses such as assault, criminal mischief, theft, criminal trespass, or disorderly conduct have occurred. In such cases, the officer will take appropriate action and file offense reports when applicable.

II. DIVORCE AND CHILD CUSTODY

- A. Divorce and child custody are typically civil law problems in which police have no authority; however, officers must take appropriate action if family violence has occurred or if a protective order has been violated. Refer to General Order 4.14, "Family Violence." Always refer disputing parties to legal counsel.
- B. Property acquired in a marriage is community property and can only be divided by contract in a court of law. Officers should note that the Penal Code provides that a person may not destroy his own property if another person has an interest in it. In such situations, officers should file an offense report for prosecutorial review. Always refer disputing parties to legal counsel.

- C. An officer is not legally empowered to interpret restraining orders or injunctions. Refer disputing parties to legal counsel. Officers must always enforce protective orders and follow procedures in G.O. 4.14, "Family Violence." Contempt hearings must occur before anyone can be fined or jailed for violating restraining orders, injunctions, "ex-parte" protective orders, or temporary protective orders.
- D. Police officers occasionally must make a determination on which person a child should stay with when there is a conflict between two people claiming to be parents.
 - 1. When a baby is born to married parents, the law automatically recognizes two legal parents (husband and wife). Married couples do not need to take any additional legal steps to establish paternity.
 - 2. When a baby is born to parents who are not married to each other, the law does not recognize the biological father as a legal parent. In other words, a biological father who is not married to the mother of their child does not have legal rights to his child until he becomes a legal parent. Paternity must be established first. Legal paternity can only be established by:
 - a. Voluntary paternity establishment- Parents sign a free legal document called an Acknowledgment of Paternity (AOP). This is the most common way to establish paternity.
 - b. Agreed paternity order- Parents, then a judge, sign a legal agreement (court order) stating who the father of a child is. Parents must agree to specific legal rights about custody, visitation, child support and medical support.
 - c. Court-ordered paternity- A court order resolves paternity when parents do not agree on the father's identity.
 - d. Presumption of paternity- A man is presumed to be the father of a child if during the first two years of the child's life, he continuously resided in the household in which the child resided and he represented to others that the child was his own.

III. CIVIL STANDBY

- A. Frequently individuals will request police presence when they go to retrieve children or property in non-criminal cases because they fear assault. These situations can be especially difficult because there could be the implication that police officers are supporting or even enforcing the desires of the accompanied party.

- B. Police officers must comply with the following:
 - 1. Always remain objective (do not take sides).
 - 2. Advise all parties that police presence is only to prevent violence.
 - 3. Establish order and end the civil standby if a disturbance occurs.
 - 4. Do not enforce civil court orders.
- C. Police officers must be aware that the movement of property in civil disputes can take a lot of time. Officers will not remain on civil standby for an unreasonable amount of time. Without extenuating circumstances, a civil standby should be handled within 15 minutes after arrival. In these cases as time increases, the possibility of conflict increases.
- D. If it is clear that the person in possession of disputed property will not voluntarily relinquish it, officers will advise the person requesting the civil standby that he should consult legal counsel and that police can no longer be involved in the situation.
- E. Police officers should exercise discretion when considering requests for civil standbys at an unreasonable hour. Generally, a standby after 11:00 p.m. and before 8:00 a.m. could be deemed unreasonable absent mitigating factors. Such factors may include the purpose of the standby, an alternate time when one party has access, and the other will not be present, and the necessity for personal items.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.39

**SUBJECT: ABANDONED VEHICLES AND
VEHICLES THAT ARE TRAFFIC HAZARDS**

**DATE OF ISSUE:
07/01/00**

POLICY

Abandoned vehicles are detrimental to the safety and welfare of the general public. They are unsightly and may create a fire or traffic hazard. The department also realizes dealing with abandoned vehicles and their seizure without due process is important. This order outlines a procedure to use patrol officers to answer initial complaints of abandoned and junked vehicles but for Neighborhood Resource Officers (NRO) to conduct all follow-up action regarding moving the vehicle.

PROCEDURE

I. DEFINITIONS

A. An “**abandoned vehicle**” is a motor vehicle:

1. That is inoperable, is more than five years old, and has been left on public property for more than 48 hours;
2. That has remained illegally on public property for more than 48 hours;
3. That has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours;
4. That has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours; or
5. That has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority or a controlled access highway.

B. A “**junked vehicle**” is a vehicle that is self propelled and:

1. Does not have lawfully attached to it an unexpired license plate or a valid motor vehicle inspection certificate;
2. Is wrecked, dismantled or partially dismantled, or discarded; or

3. Is inoperable and has remained inoperable for more than:
 - 72 consecutive hours, if the vehicle is on public property; or
 - 30 consecutive days, if the vehicle is on private property.

- C. A **“traffic hazard”** is a vehicle left on or partially on a roadway, or on an improved shoulder of a freeway (SRT, 35, 121 Business) in such a manner that it could reasonably be expected to cause an accident or unusual traffic congestion if it is not immediately removed.

- D. A **“working day”** means any day from 8:00 am to 5:00 pm other than a Saturday, a Sunday, or a holiday on which city offices are closed.

- E. **“Insurance”** means the insurance coverage on a specific motor vehicle at the level of liability insurance meeting the state minimums or greater (TRC 601.051-601.124). Insurance is required whether the vehicle is operated on a public roadway or private property. Evidence of this insurance is a policy card stating at least the name of the insured or authorized drivers, insured vehicle, insuring company, company phone number, policy number, and beginning and expiration date of coverage.

II. ABANDONED VEHICLES

A. Public Property

Patrol officers dispatched to deal with an abandoned vehicle on public property will:

1. Check for registration and stolen information by license plate and vehicle identification number (VIN).

2. Make ALL reasonable attempts to contact the owner or operator and request they move their vehicle. The department prefers officers make a personal contact, but a conspicuous notice or telephone message meets compliance with this section.

3. If the vehicle is not reported stolen, attach an abandoned vehicle sticker to a prominent part of the vehicle, preferably the bottom left portion of the rear windshield.

4. Contact the complainant, if possible, and explain what is being done about the vehicle.

5. Ask Communications to schedule a call in CAD for the next working day. Leave any removal of the abandoned vehicle to the Neighborhood Resource Officer (NRO) assigned to the district.

B. Private Property

An officer dealing with a complaint concerning an abandoned vehicle on private property will:

1. Check for registration and stolen information by license plate and vehicle identification number (VIN).
2. If the vehicle is not stolen, the officer will direct the property owner or agent to contact the Motor Vehicle Division for registered owner information.
3. Inform the property owner or agent that they can remove the vehicle at the owner's expense if:
 - a. There is a sign specifying who may park on the property and prohibiting all others, placed so that it is readable day or night from all entrances;
 - b. The owner or operator of the vehicle has actually received notice that the vehicle will be towed if not removed; or
 - c. The vehicle is obstructing an entrance, exit, fire lane, or parking aisle of the property.

III. JUNKED VEHICLES

A. Public Property

An officer dealing with a junked vehicle on public property will follow steps 1-4 in section II. (A).

B. Private Property

1. If the junked vehicle is on the property of the complaining party, the officer will follow procedures for abandoned vehicles on private property.

2. If the junked vehicle is on private property belonging to or under control of someone other than the complaining person, the officer will refer the complainant to the City of Lewisville Inspection Department.

IV. TRAFFIC HAZARDS

If an officer encounters a vehicle which has been abandoned so as to create a traffic hazard, he will do everything reasonable to prevent injury or damage to include:

- A. Proper positioning of emergency vehicles and operation of emergency lights to divert traffic away from the hazard.
- B. Moving all persons out of the roadway except those necessary for providing vehicle removal.
- C. Wearing reflective safety vests.
- D. Establishing appropriate flare or cone patterns to divert traffic away from the hazard if the hazard occurs on multi-lane roadways, roadways with a speed limit greater than 30 mph, or at other locations with poor visibility.
- E. Keeping all persons from standing between vehicles which are parked on the shoulder of the roadway.
- F. Checking the immediate area for the owner or operator of the vehicle and offer any practical assistance.
- G. Removal of the vehicle if the owner or operator has not been located within 15 minutes. **NOTE:** A condition could exist that would require immediate removal due to the danger caused by the vehicle. An example would be a vehicle abandoned in a traffic lane of IH35-E. Officers may remove personal property, including a vehicle, from the roadway if it is determined that the property is blocking the roadway or endangers public safety without the owner's consent (Texas Transportation Code, § 545.0351). Push bumpers may be used to remove a vehicle from blocking a roadway provided officers instruct the vehicle's operator:
 1. Of a specific nearby destination to get the vehicle off the roadway prior to moving the vehicle,
 2. To place the vehicle's transmission in neutral, and

3. To apply the vehicle's brake system only upon separation from the police vehicle and just prior to coming to its final destination.

V. VEHICLES ILLEGALLY PARKED, STOPPED, OR STANDING

The Department will not impound a vehicle for a parking violation unless it:

- A. Is parked in an officially designated tow-away zone.
- B. Presents an imminent threat of bodily injury.
- C. Interferes with a public utility.
- D. Interferes with emergency services, or
- E. Complies with Section 15-102 of City Ordinance.

VI. REMOVAL OF ABANDONED OR JUNKED VEHICLES

NROs are primarily responsible for conducting all follow-ups of abandoned or junked vehicles in the city. When impoundment is necessary, officers will:

- A. Request the on-call wrecker service to remove and store the vehicle;
- B. Complete an owner notification report;
- C. Complete a Vehicle Impound card which describes the time, location, reason for impound, wrecker used, and all attempts to contact the owner;
- D. Assign a report number to the card;
- E. Remain with the vehicle until the wrecker arrives and removes the vehicle; and
- F. Forward the appropriate parts of the Vehicle Impound card to the desk officer for filing.

VII. COMMUNICATIONS

Communications operators, upon receiving a call of abandoned or junked vehicle, will:

- A. Assign Patrol for immediate response and schedule follow-up calls for the district NRO; and
- B. Assign follow-up calls a Priority 9 and schedule them to appear at 8:00 AM on the next working day after receiving the call.

VIII. ENFORCEMENT

- A. Officers will not issue parking tickets if it is apparent that a vehicle is a traffic hazard because it has had a mechanical breakdown.
- B. Citations will not be issued for abandoned or junked vehicles unless the person responsible for the offense under investigation can be identified.
- C. NRO's will tow vehicles only after contact or ALL reasonable attempts to contact the vehicle's owner or operator are made.

IX. GARAGE KEEPERS

A garage keeper reporting a vehicle left in his care for repair or storage, and not reclaimed as agreed will be referred to the property technician.

- A. Impound Appeal

Any owner of a vehicle impounded by the Department who desires to challenge the impound legality may file for a hearing with the Justice of the Peace to determine whether or not probable cause existed to impound the vehicle. The owner must deliver a written request to the magistrate for a hearing before the sixth day after the impoundment.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.40

**SUBJECT: EMERGENCY EVACUATION OF POLICE
BUILDING AT 1187 W. MAIN STREET**

**DATE OF ISSUE:
01/02/01**

POLICY

In the event of fire, explosion, or other disaster, it may be a necessary to evacuate the police building at 1187 W. Main Street. This directive explains how to evacuate the building.

PROCEDURE

I. ALARM SYSTEMS

- A. The evacuation alarm consists of a loud ringing bell. Additionally, strobe lights are located in all hallways.
- B. The alarm is activated by automatic sensors. The alarm can also be activated by manually pulling down levers which are located throughout the building.
- C. The alarm system is inspected annually by a certified fire alarm inspection company in conjunction with the annual inspection done by the City of Lewisville Fire Inspector's Office.
- D. Signs in the hallways and at exit doors conspicuously identify all exits from the building.

II. EVACUATION PRE-PLAN

- A. All employees must learn the locations of the exits closest to their work areas.
- B. All employees should be aware of co-workers with special needs in the event of a disaster and be prepared to assist them in:
 - 1. Awareness of alarm indicating need for evacuation.
 - 2. Movement out of the building if evacuation is indicated.
- C. Supervisors should periodically check with their employees to ensure they are aware of the location of all exits in the vicinity of their work areas.

III. EVACUATION

- A. If the alarm sounds or flashes, evacuation of the building through the closest unobstructed exit is required unless the alarm is followed by an announcement over the public address system that the alarm is false.
- B. Move in a prompt and orderly fashion to the far side of the parking lot on the north or east side of the building.
- C. Make sure there is enough space near the building for arriving emergency equipment.
- D. Supervisors must count their employees to ensure all employees have exited the building.
- E. No one may re-enter the building until the fire officer in command has granted clearance.

IV. COMMUNICATIONS AND JAIL

- A. Personnel in the communications center will comply with Communications Procedure Order COM-35, "Fire/Bomb Threat Police Facility."
- B. Personnel in the jail will comply with Jail Procedure Order, J-13.1, "Fire Emergency."

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.41

SUBJECT: MANAGING PROPERTY AND EVIDENCE
(Std. Ref. 12.07 & 12.08)

DATE OF ISSUE:
05/01/03

POLICY

Successful prosecution of criminal defendants and rapid return of property to owners is the policy of this Department. Integrity and effective management of the property/evidence activity is essential to accomplish these objectives. The proper processing of evidence and property is a Department responsibility. All personnel must comply with this directive.

PROCEDURE

I. GUIDING PRINCIPLES

- A. The chain of custody for every piece of evidence or found property must be protected and documented.
- B. The property-evidence unit must maintain an accurate record of storage and movement of each piece of evidence or property.
- C. The property-evidence storage area has controlled access, with only assigned personnel having access. People entering the secure area must be escorted by authorized personnel and sign an entry control log. Entry is restricted to official business.
- D. No one will convert any property-evidence to any person, entity or for Department use without a court order. Employees shall not personally retain property or evidence, except as part of an authorized chain of custody.
- E. Officers shall submit all pieces of recovered evidence or found property collected during their shift to property and evidence by the end of their tour of duty.
- F. All items stored in the property room since January 1, 2013, shall be documented in the QueTel system. Items received prior to January 1, 2013, may be documented in the QueTel system as workflow permits.
- G. Property room staff has the “right to refuse” evidence not packaged correctly according to the guidelines of the Lewisville Police Department Evidence Packaging Manual.

II. **TAKING CUSTODY OF PROPERTY-EVIDENCE**

- A. Officers must comply with applicable search and seizure law when taking evidence into custody. The impounding officer shares a substantial amount of responsibility for the integrity of evidence. If properly collected, packaged, and labeled, there is a greatly reduced possibility the evidence will be lost or damaged.
1. There are instances when evidence can be released back to an owner instead of being submitted to property and evidence. It is appropriate to release evidence back to an owner if its release will not compromise the investigation or prosecution of a criminal case.
 2. Before releasing the evidence, the officer must determine if there is any further analysis needed on the evidence. If so, the evidence shall be submitted to property and evidence.
 3. If the officer decides that evidence is to be returned to its owner, the officer shall photograph the evidence and submit the photos to property and evidence via the QueTel system.
 4. If the officer returns any property or evidence to its owner, the officer shall complete a Property/Evidence Field Release Form and enter the information in the QueTel system.
- B. Officers may take control of found property with the intent of returning it to the owners. To accomplish that, officers should immediately attempt to contact the owner if any relevant information is available. If ownership is established, the officer should release the found property back to the owner by completing a Field Release Form and entering the information into the QueTel system.
- C. Officers must package and mark property-evidence in compliance with the Lewisville Police Department Evidence Packaging Manual. The Property and Evidence Supervisor is responsible for an annual review of the Evidence Packaging Manual for necessary changes and shall forward any recommended changes through the chain of command for approval by the bureau chief.

III. **STORAGE AND MOVEMENT**

- A. Each working day, a designated evidence technician (ET) will complete the intake process by:
1. Logging into the QueTel system using credentials assigned to them.

Property and evidence technicians are prohibited from using another employee's credentials to modify a property record. Verify the contents in the locker(s) have been entered into the QueTel system.

2. Notify the property room supervisor of any items packaged incorrectly or any discrepancies in the inventory, item description, or OCA number. If corrections are not made by the officer, at the end of the officer's next shift, the patrol supervisor shall be notified.
 3. Scan each item into the intake area and any subsequent storage locations.
 4. Place the items in the designated storage area as soon as possible.
 5. Whenever possible, keep all items in a particular case in the same storage area.
 6. Ensure any movements of items and any other relevant information is documented in the QueTel system.
- B. Authority to move property-evidence out of the storage facilities must be documented by a lab request, a detective's or supervisor's written authorization to release, court order, request from the District Attorney in writing, or a Lewisville Police Department Receipt for Property/Evidence Left in Court.
- C. Always document the chain of custody.
1. The ET must obtain signatures from anyone removing the item. All movements of items shall be tracked by scanning the item and locations in the QueTel system.
 2. The ET must scan postal receipts into the QueTel system if evidence is transferred through the US postal service.
- D. Lab Procedures
1. Lab requests must be approved by a supervisor.
 2. The Department uses a variety of forensic laboratories for analysis of evidence. The ET must follow the internal procedures for the specific lab used. In addition, the ET must always track movements by scanning the item using the QueTel system.
- E. Property or Evidence may be removed from the storage facilities only as needed in

the course of the case investigation, scientific analysis, prosecution, or final disposal.

IV. BODY WORN CAMERA VIDEO RETENTION

- A. Body Worn Camera Videos are automatically categorized as evidentiary, when an OCA number is assigned to the call. Evidentiary videos are placed in permanent storage. All other videos are tagged as non-evidentiary. Non-evidentiary videos are stored for two years. Body Worn Camera Videos will only be deleted, when the videos are accidentally captured, and do not depict officers acting in an official capacity. Accidentally captured includes but not limited to officers captured in a restroom, locker room, their residence or other private area.
- B. Each workday the video technician or other assigned person shall review the report numbers and captured videos generated since the last work day. The video technician or other assigned person will ensure they are labeled with the correct OCA and are correctly categorized as evidentiary or non-evidentiary. Body Worn Camera videos requiring follow-up to determine proper retention will be included in the following workday's review of videos until properly categorized.

V. FINAL DISPOSAL

- A. Overcrowded evidence rooms require great effort to manage because the size of the inventory slows down routine operations involving evidence location, retrieval, inventories, and related functions. Likewise, overburdened evidence rooms are a primary reason for lost, misplaced, or misappropriated evidence. For this reason, final disposal of evidence and property shall be expedited whenever possible.
- B. Appropriate disposal of property-evidence requires significant effort from criminal and traffic investigators. Assigned investigators have the responsibility to return property and evidence whenever they determine the items are no longer needed to investigate or prosecute the case. When a detective determines a case will not be filed, she/he must complete a Release/Destruction Authorization on the item and forward it to their supervisor for approval. The authorization shall then be forwarded to the Property Section.
- C. Disposal Authorizations
 - 1. Detective or Supervisor Authority to Destroy or Release:
 - a. The ET will destroy or release items, as appropriate, on receipt of a written disposition authorization from the case detective and approved by a supervisor.

2. Court Order:

The ET will promptly release or destroy items as directed by any court order.

3. Evidence Disposal

- a. Evidence Technicians as assigned will examine cases and determine if they may dispose of the evidence. Criminal cases such as murder and sexual assault will require an MDE be completed and forwarded to the District Attorney's office for verification that the evidence is no longer needed and may be disposed of. Juvenile crime dispositions can be found on the EFile site.
- b. On all other cases the Evidence Technicians shall check the Denton County website to determine the outcome of the case. If the case shows to be disposed of, the evidence technician will place a copy of the disposition with the property sheet or upload to Que-Tel. The Evidence Technician will contact the Municipal Court or Justice of the Peace Court for dispositions on Class C Cases. In all cases the Property room shall wait 30 days after a final disposition is reported before moving to dispose of the items.

4. Abandoned Property:

- a. The ET will follow requirements in the Texas CCP for auction or destruction of abandoned property.
- b. The ET will obtain supervisory approval before destruction of any abandoned property.

D. Disposal Requirements

1. The Property and Evidence Supervisor will arrange adequate security for the transport of any contraband to a remote site for destruction.
2. All releases require the signature and verification of identification of the person receiving the items (copy of driver's license or other similar government identification).
3. Narcotics, dangerous drugs, prescription medications or narcotics paraphernalia submitted as found property shall be disposed of according to current acceptable standards (i.e. burning at a licensed facility). A Motion to

Destroy Evidence does not need to be completed since these items are not considered evidence if submitted as found property. Prescription drugs (with a known owner) shall be destroyed in the same manner if the owner fails to retrieve them within the standard retention period.

4. Items with an apparent value of less than one-hundred dollars (\$100) will be destroyed. Items with an apparent value of one-hundred dollars or more shall be sent for auction.
5. Weapons or other items that a court awards to the department may be destroyed as deemed appropriate by the division commander.
6. The property supervisor will conduct a monthly destruction audit on items that are destroyed by the technicians. For every 100 items destroyed, the supervisor will audit one case.

E. **Firearm Release**

1. Firearms shall not be released to a person with a Family Violence Conviction.
2. Firearms shall only be released to a convicted felon if more than five years have transpired since the convicted felon's release from prison or community supervision.

V. PROPERTY FROM THE GENERAL PUBLIC

- A. The property-evidence unit does not take items (such as firearms, ammunition, paint, or any other thing) simply because the person wants to discard it.
- B. A supervisor may override the restriction in subsection "A" in exigent circumstances, but it is preferable to assist the person to dispose of the items in some other way.

VI. INSPECTIONS

- A. Every six months, IA will conduct an inspection of the property and evidence function. This inspection will concentrate on how well policies and procedures are being followed. This inspection will consist of a small sampling (minimum of 10) of items submitted to the property and evidence section. These items shall be tracked to determine if they were properly entered into the evidence management system and stored properly. The findings of each inspection will be reported to the chief of police (12.07).

- B. City auditors may conduct periodic inspections. If these inspections satisfy requirements for the IA inspection, then the IA inspection will be satisfied.

VII. INVENTORIES

- A. A complete inventory of all critical items (guns, drugs, money) in the property room and a random sample of 50 items will be conducted yearly by the internal affairs investigator. The results of the inventory shall be reported to the chief of police within 30 days after completion (12.08).
- B. Whenever a person is assigned to or leaves from a position of direct control over property and evidence, the internal affairs investigator will conduct a complete inventory of all critical items (guns, drugs, money) in the property room and a random sample of 50 items. The results of the inventory shall be reported to the chief of police within 30 days of the completion of the inventory (12.08).
- C. The inventory of the 50 items is a two-part process. During the first part, the inspector randomly selects 25 items from paperwork and/or the evidence management system, then locating the items in the property room. During the second part, the inspector randomly selects 25 items of property from the property room, then locating the paperwork or entry to verify consistency (backward mapping).
- D. Completion of this inventory may occur any time during the year, so long as it is completed during the calendar year. Any discrepancy shall be reported to the chief of police as soon as possible after discovery and in the yearly report to the chief of police.
- E. The police department shall request an annual outside audit by the city auditor and copy the city manager. If this audit satisfies any of the requirements of the IA inventory, then that portion of the inventory may be considered satisfied but should be included in the IA yearly report to the chief of police.
- F. When conducting an inventory, each inventoried item shall be examined for tampering and missing items. Any discrepancies shall be reported immediately.

VIII. Procedural Order **E-1 Property/Evidence Management** (dated 3-31-99) is rescinded. Procedural Order **E-1** is incorporated into this General Order 4.41 and is hereby rescinded.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.42

SUBJECT: GPS TRACKING DEVICES

**DATE OF ISSUE:
01/14/2009**

POLICY

It is the policy of the Lewisville Police Department to interrupt, where possible, major thefts in progress and to apprehend those responsible for the crime. In doing so, the Department seeks to increase the number of arrests and prosecutions for these offenses, thereby deterring future offenders and reducing the number of these types of offenses that victimize the public.

This is a proactive, tactical mission that must be performed in a safe and professional manner. Therefore, all personnel responding to a GPS activation must exercise appropriate caution and shall use the guidelines outlined in this general order to ensure the safety of officers and the public.

PROCEDURE

I. DEFINITION

A. Tracking Key:

A Tracking Key is a global positioning device that can be placed on or in a vehicle or container that logs the movements of the key. The Tracking Key does not have “live track” capabilities. The Tracking Key must be recovered so the data can be downloaded from the device. The device cannot be accessed remotely.

B. Live Tracking Device (LTD):

A LTD is used in a similar manner as the tracking key. A LTD provides “live track” information by accessing the internet. The LTD is equipped with features that allow alerts to be sent to personnel to inform them of the movement of the device. The device can be remotely accessed to determine certain information.

II. TRACKING KEYS AND LIVE TRACKING DEVICES

A. Deployment

1. A Tracking Key or a Live Tracking Device (LTD) may be used for criminal investigations or special investigations. These devices may only be used when authorized by a Division Commander, Assistant Chief or by the Chief of Police.

2. A search warrant should be obtained for the installation of any device that is placed on a vehicle, in a package, or container, without the owner's consent. The search warrant shall be obtained from a District Judge.
3. Article 18.21 of the Texas Code of Criminal Procedure must be complied with for any criminal investigation.

B. Live Tracking Devices (LTD)

1. A LTD may be used as a theft tracking device. Precautions should be made to increase the likelihood that the property and the device will be recovered before the device is located by a suspect. (Examples: surveillance on the item, or a geo fence engaged to alert if the device leaves a specific area.)
2. Deployment Responsibilities
 - a. If the deployment of a LTD will require a patrol response, a lap top computer with the tracking software will be placed in Communications. A Deployment Sheet will be given to dispatch providing them with the details of the deployment to include: location, vehicle description and other pertinent information that is available. The Deployment Sheet will specify to Communications what actions should be taken in the event of an alarm or activation.
 - b. The officer that deployed the LTD will be set up to receive any alerts produced by the deployment. There should be at least three officers/supervisors set up to receive any text or page alerts.
 - c. The deploying officer will call communications and inform them of any LTD activation and what measures should be taken.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.43

**SUBJECT: EYEWITNESS IDENTIFICATION
PROCEDURE
(Std. Ref. 7.32)**

**DATE OF ISSUE:
01/16/2009**

POLICY

Nowhere more so than in criminal cases does the legal system rely on the testimony of eyewitnesses. The evidence eyewitnesses provide can be tremendously helpful in developing leads, identifying criminals, and exonerating the innocent. Therefore, the Lewisville Police Department has established the following policy with regard to the collection and handling of eyewitness evidence.

The intent of this policy is to:

- Combine research and practical perspectives;
- Promote accuracy in eyewitness evidence; and
- Promote sound professional practices.

PROCEDURE

I. DEFINITIONS

A. Lineups:

1. Photo: A lineup that displays photos consisting of one suspect among a number of fillers, from which a witness or victim can identify or exclude the suspect.
2. Live: A lineup in which a group of persons is displayed to the witness or victim in order to identify or exclude the suspect.

B. Sequential Lineups:

Sequential lineups are photos or individuals that are viewed by a witness one by one (sequentially).

C. Blind Procedure:

A procedure wherein the person (Independent Administrator) administering the photo array does not know the identity of the suspect. Utilizing this practice, the Independent Administrator would not be aware

of which member in the lineup is the suspect, and would eliminate the possibility of influencing the witness' selection.

D. Hidden Photo Array Procedure:

A procedure wherein the person who administers the photo array *knows* who the suspect is, *but* each photo is presented so that the administrator cannot see or track which photograph is being presented to the witness. This procedure is also known as the blinded procedure.

E. Folder Shuffle Method:

A method of administering a photo array such that the administrator cannot see or track which photograph is being presented to the witness until after the procedure is completed. This method is employed in a hidden procedure when a blind procedure is not possible.

F. Fillers:

Fillers are non-suspect photographs or other individuals. Select fillers to fit the description of the perpetrator provided by the witness and to ensure that no individual or photo stands out.

G. Illiterate Person:

A person who speaks and understands English but cannot read or write English.

H. Interpreter:

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

I. Person with Limited English Proficiency:

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

J. Digital Image System:

The department's records management system contains a collection of digital photos of previously arrested persons. These photographs may be used in cases where a suspect has or has not been determined and other reliable sources have been exhausted. This technique may provide a possible suspect, but evaluate the results with caution.

K. Field Elimination (Show-up):

A Field Elimination (show-up) is an identification procedure performed when circumstances require the prompt display of a single person to a witness at or near a crime scene. The purpose of a Field Elimination is always to identify or eliminate that person as a suspect of the crime. Field Eliminations are highly scrutinized by the courts as being suggestive in nature. Therefore, special consideration should be given when doing eliminations and they should only be done when absolutely necessary.

II. SELECTING THE BEST IDENTIFICATION METHOD

A. Photo lineups are preferred over other techniques because:

1. They can be controlled better,
2. Nervousness can be minimized, and
3. They are easier to manage logistically.

B. Because they involve multiple persons under relatively controlled circumstances, a properly conducted photo lineup is preferable to a Field Elimination (show-up).

C. Because they are highly suggestive, Field Eliminations (show-ups) are vulnerable to challenges to their validity. Consequently, only employ a Field Elimination where other indicia of guilt are present (e.g., suspect located relatively close in time and place to the crime).

D. Because witnesses may be influenced, however unintentionally, by cues from the person administering the procedure, a blind administration should be used. This can be achieved through the use of a blind procedure or a hidden procedure (e.g., folder shuffle method).

E. Because research shows the sequential presentation of photo lineups is less likely to result in misidentification and carry very little risk of increasing the likelihood of failure to identify the suspect, a sequential presentation method should be used.

III. PREPARATION OF BLIND PHOTO LINEUPS

A. Designating a Preparer

The photo lineup should be prepared by someone other than the person who will administer the photo array. Ideally, the investigating officer will prepare the photo array. Because the investigating officer knows who the suspect is, he or she should not be conducting the actual administration of the photo lineup.

B. Selecting Suspect Photograph

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

C. Selecting Fillers

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

D. Choosing Number of Fillers

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

E. Ensuring Similarity

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

F. Placing Subject Photographs in Order

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

G. Complete the Lineup Administrator Form

This form should be completed by the investigating officer. The administrator will complete the sections for comments, certify and sign the form.

H. Presenting the Photo Array to the Independent Administrator

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

IV. ADMINISTRATION OF SEQUENTIAL BLIND PHOTO LINEUPS

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

A. Instruct Witness

Instruct each witness outside the presence of the other witnesses. The independent administrator will provide the witness a written copy of the Eyewitness Disclaimer Certification for the Blind Method and will read the instruction statement aloud at the beginning of each identification procedure.

B. Document Consent to Participate

Ask all witnesses to sign the Eyewitness Disclaimer Certification (blind method) stating they understand the procedure and agree to participate. Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that the witness received the appropriate instruction.

C. Presentation of Photographs

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

D. Question Witness

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

E. Document Witness’s Responses

Document the witness’s response on the Lineup Administration Form, using the witness’s own words. Have the witness complete the identification result section of the Lineup Administration Form to reflect the outcome of the procedure. The administrator must then complete the certification portion of the form.

F. Show All Photographs

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

G. Avoid Feedback During Procedure

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

H. Additional Viewings

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

I. Subsequent Use of Materials

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

J. Multiple Identification Procedures With Same Witness

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

K. Multiple Identification Procedures with Different Witness

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

L. Multiple Suspects

When there are multiple suspects, conduct a separate photo array for each suspect. There should not be more than one suspect per photo array. Do not reuse the same fillers in the subsequent photo array.

M. Contact Among Witnesses

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

N. Identification of Special Features

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

V. PROCEDURES FOR ILLITERATE PERSONS OR PERSONS WHO POSSESS LIMITED ENGLISH PROFICIENCY USING SEQUENTIAL BLIND METHOD

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

A. Using an Interpreter

Unless the administrator speaks the victim's or witness's language fluently, use an interpreter for persons who do not speak English. The interpreter shall sign the Eyewitness Identification Disclaimer Form on obtaining consent of a non-English speaking person to assist in the eyewitness identification process. The interpreter can sign on the form to the right of the witness signature line.

B. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

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

VI. DOCUMENTATION USING SEQUENTIAL BLIND METHOD

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

VII. SEQUENTIAL HIDDEN PHOTO LINEUP PREPARATION

The sequential hidden method will only be used as a last resort when there are absolutely no other qualified personnel available to administer the lineup blind. This method should very rarely be utilized. This method will be administered by the investigating officer.

A. Selecting Suspect Photograph

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

B. Selecting Fillers

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

C. Choosing Number of Fillers

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

D. Ensuring Similarity

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

E. Placing Subject Photographs in Order

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

4. Place two empty folders at the end.
5. Number the folders.

VIII. SEQUENTIAL HIDDEN PHOTO LINEUP ADMINISTRATION

A. Hidden Administration

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

B. Instruct the Witness

Instruct each witness outside the presence of the other witnesses. The administrator will provide the witness a written copy of the Eyewitness Identification Disclaimer for hidden method and should read the instruction statement aloud at the beginning of each identification procedure.

C. Document Consent to Participate

Ask each witness to sign the Eyewitness Disclaimer Certification (hidden method) stating that they understand the procedure and agree to participate. Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that they provided the witness appropriate instruction..

D. Present Folders

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

E. Question Witness

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

F. Document Witness’s Responses

Document the witness’s response using the witness’s own words in the appropriate section of the Lineup Administration Form. Have the witness

complete the identification result section of the Eyewitness Identification Disclaimer Form to reflect the outcome of the procedure. The administrator must then complete the certification portion of the form.

G. Show all Folders with Photos

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

H. Avoid Feedback During Procedure

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

I. Additional Viewings

Only when requested, the witness may view the photo array again after completion of the first photo array procedure. If the witness requests an additional viewing, the photo array administrator should present the entire photo array in the same order as the original presentation, a second time. If this occurs, document on a subsequent Lineup Administration Form. The photo array administrator should never suggest an additional viewing to the witness. It is recommended that the witness not be allowed to view the photo array more than two times.

J. Subsequent Use of Materials

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

K. Multiple Identification Procedures With Same Witness

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

L. Multiple Identification Procedures with Different Witness

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

M. Multiple Suspects

When there are multiple suspects, conduct a separate photo array for each suspect. There should not be more than one suspect per photo array. Do not reuse the same fillers in the subsequent photo array.

N. Contact Among Witnesses

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

O. Identification of Special Features

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

IX. PROCEDURES FOR ILLITERATE PERSONS OR PERSONS WHO POSSESS LIMITED ENGLISH PROFICIENCY USING SEQUENTIAL HIDDEN METHOD

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

A. Using an Interpreter

Unless the administrator speaks the victim's or witness's language fluently, use an interpreter for persons who do not speak English. The interpreter shall sign the Eyewitness Identification Disclaimer Form on obtaining consent of a non-English speaking person to assist in the eyewitness identification process. The interpreter can sign on the form to the right of the witness signature line.

B. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

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

X. DOCUMENTATION USING SEQUENTIAL HIDDEN METHOD

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

XI. LIVE LINEUPS

Live lineups will not normally be used due to the difficulty of administration and the difficulty in obtaining sufficient number of individuals with similar physical characteristics. Should an investigator determine a need for a live line-up, the investigator must seek supervisory approval and should contact the District Attorney for procedural and technical assistance. The line-up should be carried out with the intent of this policy in mind.

XII. FIELD ELIMINATION (SHOW- UPS) PREPARATION

Avoid Field Eliminations (show-ups) whenever possible because of their suggestiveness. Photo arrays are preferred. Obtain Supervisory approval prior to any Field Elimination. However, where circumstances require the prompt display of a suspect to a witness, use the following procedures to minimize potential suggestiveness.

A. Contact among witnesses

Separate witnesses and do not allow communication between them before or after conducting a Field Elimination.

B. Document witness's descriptions of perpetrator

Document the witness's description of the perpetrator prior to conducting the Field Elimination.

C. Temporal and spatial proximity to the offense

Use Field Eliminations only where the suspect is detained within a reasonably short time-frame following the offense and is found in

relatively close proximity to it. Although this is dependent on the individual circumstances of each case, courts have generally held that a two-hour time lapse is acceptable.

D. Transport witness to suspect

Transport the witness to the location of the suspect whenever practical, rather than bringing the suspect to the witness.

E. Do not return suspect to the crime scene

Avoid taking suspects to the scene of the crime.

F. Disclosure of location of witness's home

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

G. Avoid appearance of guilt

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

H. Minimize reliance on Field Eliminations

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

XIII. FIELD ELIMINATION ADMINISTRATION

A. Instruct witness

Instruct each witness outside the presence of the other witnesses. The administrator will give the witness a written copy of the Eyewitness Identification Disclaimer for Field Eliminations and should read the instruction statements aloud at the beginning of each identification procedure.

B. Presentation of suspect and questioning of witness

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

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

C. Document witness's response

Document the witness's response using the witness's own words in the offense report or supplement report. Ask the witness to complete a statement of fact describing what they saw the person do and how certain they are of their identification. The witness's certainty statement should be made in their own words.

D. Multiple identification procedures with the same witness

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

E. Avoid requirement of performance by the suspect

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

F. Avoid conduct suggestive of the suspect's guilt

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

G. Contact among witnesses

Remind the witness not to talk about the Field Elimination to other witnesses until police or prosecutors deem it permissible.

XIV. SPECIAL PROCEDURES ARE REQUIRED FOR ILLITERATE PERSONS OR PERSONS WHO POSSESS LIMITED ENGLISH PROFICIENCY

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

A. Using an interpreter

Unless the Field Elimination administrator speaks the victim's or witness's language fluently, use an interpreter for persons who do not

Speak English. Law enforcement personnel should consider arranging for an interpreter if a person interviewed:

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

XV. DOCUMENTATION

In order to strengthen the evidentiary value of the administration, document the entire procedure in full including the time, date, and location, identities of persons present, and the outcome. Video documentation (with audio) is the preferred method. Audio recording is the preferred alternative. If neither method is used, then document the reason for not employing a video or audio record..

XVI. DIGITAL IMAGING SYSTEM SEARCHES

A. Viewing Preparations for Officer/Investigator

1. Ensure that positive identifying information is available for all individuals.
2. Ensure that the images are contemporary.
3. Attempt to show only one image of each individual during the viewing.
4. Select images by specific physical characteristics (e.g., race, age, sex).
5. Digital images may be shown via the computer or printed photographs.
6. The witness will browse through the photographs in a fashion similar to a “mug book.”

B. Viewing Instructions for Witnesses

1. Describe the system to the witness only as a “collection of images.”

2. Instruct the witness that the person who committed the crime may or may not be present in the collection.
3. Consider suggesting to the witness to think back to the event and his/her frame of mind at the time.
4. Instruct the witness that individuals depicted in images may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
5. Instruct the witness to select an image if he/she can and to state how he/she knows the person.
6. Assure the witness that regardless of whether he or she makes an identification, police will continue to investigate the case.
7. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.
8. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case, and discourage contact with the media.

C. Documentation

1. All persons viewed during the database search shall be identified and documented in a report.
2. Officers shall ask the witness how they recognize the identified person.
3. Officers shall get a certainty statement documented in a statement of fact from the witness in their own words.

D. Follow-up if identification is made

1. Due to issues of the reliability of this procedure, officers must thoroughly investigate any potential identification.
2. Officers should attempt to determine if the identified person has an alibi during the time the offense was committed.
3. If there are other witnesses, officers should consider presenting a lineup that includes the identified person.

4. Officers should consider interviewing the identified person before issuing any arrest warrant based solely on being identified using this process.

LEWISVILLE POLICE DEPARTMENT
Eyewitness Identification Certification
Blind Method

Case # _____ Date: _____ Time: _____ am / pm

Location: _____

I, _____, have been asked to view a group of images in a
(Witnesses Printed Name)
lineup.

INSTRUCTIONS

1. The officer/detective involved in this process does not know the identity of the perpetrator.
2. The person that committed the crime may or may not be the person that will be shown or in the photographs presented.
3. Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.
4. There is no pressure to make an identification.
5. Regardless of whether an identification is made, the police will continue to investigate this incident.
6. It is just as important to clear innocent persons from suspicion as it is to identify the guilty parties.
7. The fact that a person or photographs are being shown, does not indicate that the guilty person(s) has been identified or arrested.
8. Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.
9. The photos will be shown to you one at a time. Take as much time as you need to look at each one. After each photo, the officer will ask you a series of questions. Take your time in answering the questions. Even if you identify someone during this procedure, I will continue to show you all photos in the series.

LEWISVILLE POLICE DEPARTMENT
Eyewitness Identification Disclaimer
Blind Method
Continuation

Case #: _____

CONSENT TO PARTICIPATE

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to observe the photographs that will be presented to me, and I will follow the instructions provided on this form. I will explain in my own words how certain I am if an identification is made.

Witness Signature: _____

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

Officer's Signature: _____ ID# _____

Translator Name (if applicable): _____

Translator Signature (if applicable): _____

IDENTIFICATION RESULT

I have picked photo number _____. I will now describe in my own words how certain I am about the identification:

Witness Signature: _____

OR

I did not pick anyone from the lineup procedure.

Witness Signature: _____

ADMINISTRATOR CERTIFICATION

The photo or person that was picked from the lineup by the above-named witness has been identified as: _____.

Lineup Administrator Signature: _____ ID#: _____

LEWISVILLE POLICE DEPARTMENT
Eyewitness Identification Disclaimer
Field Elimination

Case # _____ Date _____ Time _____ am / pm

Location: _____

I, _____, have been asked to view an individual in a field
(Witnesses Printed Name)
elimination.

INSTRUCTIONS

1. The person that committed the crime may or may not be the person that will be shown to you.
2. There is no pressure to make an identification.
3. It is just as important to clear innocent persons from suspicion as it is to identify the guilty parties.
4. Regardless of whether an identification is made, the police will continue to investigate this incident.
5. Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

CONSENT TO PARTICIPATE

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to observe the individual that will be presented to me, and I will follow the instructions provided on this form. I will complete a Statement of Fact explaining the results of this process. I will explain in my own words how certain I am if an identification is made.

Witness Signature: _____

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

Officer's Signature: _____ ID# _____

Translator Name (if applicable): _____

Translator Signature (if applicable): _____

LEWISVILLE POLICE DEPARTMENT
Eyewitness Identification Certification
Hidden Method

Case # _____ Date _____ Time _____ am / pm

Location: _____

I, _____, have been asked to view an individual in a field
(Witnesses Printed Name)
elimination or a group of images in a photo lineup.

INSTRUCTIONS

1. The folders in front of you contain photos. Although I placed the photos into the folders, I have shuffled the folders so that right now I do not know which folder contains a particular folder.
2. The person that committed the crime may or may not be the person that will be shown or in the photographs presented.
3. Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.
4. There is no pressure to make an identification.
5. Regardless of whether an identification is made, the police will continue to investigate this incident.
6. It is just as important to clear innocent persons from suspicion as it is to identify the guilty parties.
7. The fact that a person or photographs are being shown, does not indicate that the guilty person(s) has been identified or arrested.
8. Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.
9. You will look at the photos one at a time. When you open a folder, please open it in a manner that does not allow the officer to see the photo inside the folder. Take as much time as you need to look at each one. After each viewing, the officer will ask you a series of questions. Take your time in answering the questions. Even if you identify someone during this procedure, I will continue to show you all photos in the series.

LEWISVILLE POLICE DEPARTMENT
Eyewitness Identification Disclaimer
Hidden Method
Continuation

Case #: _____

CONSENT TO PARTICIPATE

I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to observe the photographs that will be presented to me, and I will follow the instructions provided on this form. I will explain in my own words how certain I am if an identification is made.

Witness Signature: _____

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

Officer's Signature: _____ ID# _____

Translator Name (if applicable): _____

Translator Signature (if applicable): _____

IDENTIFICATION RESULT

I have picked photo number _____. I will now describe in my own words how certain I am about the identification:

Witness Signature: _____

OR

I did not pick anyone from the lineup procedure.

Witness Signature: _____

ADMINISTRATOR CERTIFICATION

The photo or person that was picked from the lineup by the above-named witness has been identified as: _____.

Lineup Administrator Signature: _____ ID#: _____

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.44

SUBJECT: VEHICLE IMPOUND AND INVENTORY

**DATE OF ISSUE:
11/01/08**

PURPOSE

The Lewisville Police Department (hereinafter “the Department”) does not impound vehicles without good reason. In some situations, vehicles must be impounded to ensure their safekeeping, to protect the contents, to enforce law, or to maintain the free flow of traffic. This order establishes a procedure for conducting vehicle impounds in arrest or traffic crash situations.

PROCEDURE

I. FINANCIAL RESPONSIBILITY

- A. The Department conducts traffic enforcement in an effort to improve the safety of all individuals who travel City of Lewisville roadways. As part of this strategy, the goal of the Department is to ensure that vehicles involved in a motor vehicle crash are operated with the financial responsibility required by law. Seven forms of financial responsibility are outlined in the Safety Responsibility Act:
1. A motor vehicle liability insurance policy covering the vehicle that satisfies sections 601.071 through 601.088 of the Code;
 2. A standard proof of motor vehicle liability insurance form prescribed by the Texas Department of Insurance under section 601.081 of the Code, as set forth in II.B herein, and issued by a liability insurer for the vehicle;
 3. An insurance binder that confirms the operator is in compliance with Chapter 601 of the Code;
 4. A surety bond certificate issued under section 601.121 of the Code;
 5. A certificate of deposit with the comptroller covering the vehicle issued under section 601.122 of the Code;
 6. A copy of a certificate of a deposit with the appropriate county judge covering the vehicle issued under section 601.123 of the Code; or
 7. A certificate of self-insurance covering the vehicle issued under section 601.124 of the Code or a photocopy of the certificate.

- B. If the operator of the vehicle shows financial responsibility by exhibiting a liability insurance policy card, the policy card must include:
 - 1. The name of the insurer;
 - 2. The insurance policy number;
 - 3. The policy period;
 - 4. The name and address of each insured;
 - 5. The policy limits or a statement that the coverage of the policy complies with the minimum amounts of motor vehicle liability insurance required by state law; and
 - 6. The make and model of each covered vehicle.

II. IMPOUNDMENT FOR FAILURE TO MAINTAIN PROOF OF FINANCIAL RESPONSIBILITY

- A. If, in the course of a traffic stop, the initial investigation immediately following a vehicle crash, or an arrest of a person occupying a vehicle under his control an officer determines that a vehicle was operated without the required financial responsibility, the officer should generally issue a citation as appropriate and impound the vehicle(s) following the steps outlined below.
- B. Impoundment will be restricted to those cases where the driver admits to not having financial responsibility or the officer is able to verify that no financial responsibility exists.
- C. The driver's admission that there is no financial responsibility is sufficient proof to support impoundment of the vehicle.
- D. When the operator claims to have liability insurance but fails to show the required proof of insurance coverage, an officer will make reasonable efforts to determine if the vehicle is insured prior to impoundment. This will typically limit these types of tows to normal business hours. If the insurance carrier has an after-hours contact number and the lack of coverage can be verified, then the vehicle may be towed. Steps to verify coverage may include, but are not limited to:
 - 1. Contacting the driver's insurance company;
 - 2. Contacting the driver's insurance agent;

3. Contacting a parent or guardian if dealing with a minor;
 4. Contacting the lien holder; or
 5. Use of the Department of Public Safety insurance database.
- E. When the operator claims to have liability insurance and the officer, after making reasonable efforts to verify financial responsibility, is unable to get a definitive answer, the officer should elect not to tow the vehicle.
- F. If the vehicle is impounded, the officer shall issue a citation for the failure to maintain or show proof of financial responsibility. Officers should note on the back of citations that the operator of the vehicle claimed to have liability insurance and the steps taken to attempt to verify coverage.
- G. If it is determined or verified that the driver does not have the required financial responsibility, but the officer believes that there are mitigating circumstances to not impound the vehicle, the officer may use discretion in making the impoundment decision.

III. ARREST SITUATIONS

- A. If a person is arrested while occupying a vehicle, and they are in care, custody, or control of that vehicle, the vehicle will be impounded. This requirement may be waived if all of the following conditions exist:
1. The situation is stable and there is no apparent danger;
 2. The arrested person agrees to sign a waiver of impound;
 3. The arrested person is mentally competent and is not intoxicated;
 4. There is no evidentiary use of the vehicle;
 5. The vehicle is legally parked or released to a responsible person; and
 6. The vehicle does not meet the requirements for impoundment in Section II.
- B. If an arrested person's vehicle is to be impounded,
1. The dispatcher will send the on-call wrecker; and
 2. The arresting officer or impounding officer will:

- a. Complete a vehicle impound;
- b. Inventory the contents of the vehicle as outlined in Section VII, of this policy;
- c. Remain on scene until the wrecker arrives and removes the vehicle;
- d. The officer transporting the prisoner to jail will notify the Detention Officers which wrecker company towed the vehicle. A vehicle retrieval information sheet should be placed in the inmate's property.

IV. HOLDS ON VEHICLES

- A. Occasionally we may place a hold on a vehicle being towed to an impound facility.
 1. Officers should have supervisor approval prior to doing so.
 2. The Officer will write the name of the other agency officer or detective in the Remarks section (i.e. "Hold per Detective Smith at Dallas P.D."). The comments should be added prior to releasing the impound to the wrecker driver. All "holds" must list an LPD supervisor in the Hold Per section.
 3. An assigned detective or supervisor determining the vehicle no longer needs to be held, will call the proper wrecker company and advise them it can be released.

V. EVIDENTIARY TOWS

- A. Vehicles involved in serious crimes may be towed to an area for evidentiary processing.
 1. The officer should not complete an impound or search through the vehicle.
 2. The officer should sign the tow company's receipt for the tow.
 3. After processing the vehicle, the assigned Detective will release the vehicle to the owner or prepare an impound slip and have the vehicle towed to a wrecker company facility.

VI. MISCELLANEOUS TOWING ISSUES

- A. Vehicles towed because of inoperability due to a traffic crash in which all vehicle operators provide valid proof of financial responsibility are not custodial impounds and do not need an impound card. As a service to crash victims, officers at the scene should inform vehicle operators to have the vehicle's owner contact the wrecker companies in person within the first 24 hours of the vehicle impound.
1. The owner or operator of a vehicle involved in a crash who provides valid proof of financial responsibility may:
 - a. Drive the vehicle away if it is operable;
 - b. Request his own tow truck if the truck can arrive within 20 minutes;
or
 - c. Leave his vehicle legally parked.
- B. Anytime a vehicle is not immediately removed after an arrest or crash, the officer will warn the operator that the vehicle will be impounded after 48 hours if the vehicle meets the criteria of an abandoned vehicle. If left in an applicable location, the vehicle should be tagged with a 48-hour violation sticker and the information given to dispatch to schedule a follow-up call prior to the officer leaving the scene.
- C. No-Fee Release
1. If it is determined that a vehicle impounded under this order was towed in error, the watch commander has the discretion to authorize a no-fee release.
 2. There should be some action or clear omission on the part of the officer that failed to uncover the existence of the financial responsibility before a no-fee release is authorized.
- D. Recovered Stolen Vehicle
1. Complete vehicle impound form. Do not complete a Property/Evidence Field Release form.
 2. If the vehicle is not towed, have the recovering party sign the impound form in the remarks section indicating their receipt of the vehicle. The officer shall print legibly the name of that person below their signature.

VII. INVENTORY

- A. When vehicles are inventoried, officers should generally follow a routine practice of securing and inventorying automobiles' contents.
- B. Officers shall inventory vehicles to protect the owner's property while it remains in police custody, protect the police against claims or disputes over lost or stolen property, and to protect the police from potential danger.
- C. Vehicle inventories should never be done as a subterfuge to a search.
- D. All unlocked closed containers should be opened and inventoried, because valuables and money can be secreted in unlikely containers.
- E. Officers should open and inventory locked containers if they have access to a key or combination to open the container. Officers should never force open a locked container.
- F. Valuables such as currency and jewelry should be placed with the inmate's property.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.45

SUBJECT: USE OF PUSH BUMPERS AND TOW STRAPS

**DATE OF ISSUE:
02/24/09**

POLICY

The quick removal of a vehicle from the roadway may prevent accidents and injuries and minimize the negative environmental and economic impact upon the community caused by vehicles blocking the roadway. Officers risk serious injury when asked to push a vehicle out of the roadway on foot. Officers are encouraged to use push bumpers or tow straps to facilitate the process of clearing the roadway.

PROCEDURE

- I. WHEN AN OFFICER ENCOUNTERS A VEHICLE THAT NEEDS TO BE REMOVED FROM THE ROADWAY USING A PUSH BUMPER OR TOW STRAP, THE OFFICER SHALL FOLLOW THE PROCEDURE OUTLINED BELOW:**
- A. Activate emergency lighting in an attempt to prevent the vehicles from being involved in an accident. The in-car camera and BWC shall remain activated throughout the process.
 - B. Evaluate whether the vehicle will be occupied during the time it is removed from the roadway. It is best to utilize an officer to operate the vehicle. The driver may assist in the removal of the vehicle but only after the officer evaluates the driver's competency in operating a vehicle that may lack power steering and power brakes.
 - C. Determine the capability of the police car.
 - D. Make a plan.
 - E. Give instructions to the other officer or driver.
 - F. Execute the plan to remove the vehicle while continually evaluating the circumstances.
 - G. Gently make contact between the squad car and disabled vehicle. Push the vehicle to a reasonable speed and then disengage from the pushed vehicle especially when the pushed vehicle is turning or there is an inclining or declining roadway or driveway.

II. TO FINALIZE THE INCIDENT, ENSURE THE ONGOING SAFETY OF THE CITIZEN

- A. If there is damage to the squad car, call a supervisor to the scene. The supervisor should complete a city accident report. There is no need to complete a state crash report. The accident will be non-preventable if the officer followed the guidelines outlined; the officer will complete a post-accident screening.
- B. Assist the motorist with making arrangements for assistance. Tell the motorist they will have to seek permission from the property owner to leave the vehicle in a parking lot. Vehicles damaged in crashes will be towed if they cannot be safely driven from the crash scene.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.46

**SUBJECT: STOPPING TRAFFIC VIOLATORS WITH
KNOWN RISKS**

**DATE OF ISSUE:
12/01/94**

POLICY

This directive establishes procedures to enhance the safety of officers, violators and other users of the roadway.

PROCEDURE

I. STOPPING PROCEDURES

Officers will follow these procedures when stopping vehicles:

- A. Notify communications of the intended location followed by the license plate number. The vehicle and occupant description should be given if a license plate is not visible. The officer is to ensure he has a functioning audio transmitter.
- B. Anticipate the stop. Select a location with good lighting. Avoid hills, curves, intersections and other hazards when possible.
- C. Signal the violator to stop using overhead emergency lights, hand signals, sounding the horn and siren as necessary.
- D. Direct the violator to the right side of the roadway when possible close to the curb or on to the shoulder.
- E. On multi-lane roadways, ensure the safety of the violator during lane changes by gradually changing from lane to lane behind the violator until the violator reaches the right side of the roadway.
- F. If the violator stops abruptly in the wrong lane or other undesirable location, promptly direct him to move to a safer location by using the public address system and gestures. If the violator does not respond, the officer should quickly exit the patrol vehicle and give verbal instructions.
- G. Position the police vehicle approximately 10-15 feet behind the violator's vehicle. Offset the left front of the police vehicle at least three feet to the left of the violator's vehicle.

- H. Pay attention to passing traffic while getting out of the police vehicle and watch occupants of the violator's vehicle for suspicious activity. A right hand side approach is acceptable when passing traffic is so close to constitute danger.
- I. Do not permit violators or other occupants of the violator's vehicle to stand in the traveled portion of the roadway or stand between vehicles.
- J. If the violator seems to be intoxicated, do not permit him to move his vehicle after it has been stopped.
- K. If the violator's vehicle has occupants in both the front and rear seats, approach to a point near the leading (front) edge of the left front door, being especially alert for any unusual actions and choosing a path so that the door cannot be used as a weapon. From this position, communicate with the violator and keep all occupants in view.
- L. In stops made by two officer units, direct the passenger officer to handle radio communications. (During the stop, he should exit the vehicle as cover and observer for the contact officer. Two officers should not approach the violator vehicle on the same side of the violator's vehicle.)
- M. Follow the same procedures at night, but emphasize selection of a safe place for the stop because of reduced visibility. Place vehicle lights on low beam for the safety of oncoming traffic. Use the spotlight to illuminate the interior of the violator's vehicle.
- N. Do not remain seated in the police vehicle and signal the violator to come to the police vehicle. (During accident investigations in bad weather, officers may sit drivers in the police car after it is reasonable to believe they do not pose an assault risk.)

II. STOPPING AN APPROACHING VEHICLE

Take the following action to stop violators in oncoming traffic:

- A. Do not leave the police vehicle in an attempt to stop the violator with hand signals. This is extremely hazardous.
- B. Turn around only when it is safe to do so, overtake, and stop the violator in accordance with General Order 4.8, "Emergency Vehicle Operation."

III. KNOWN RISK STOPS

If there is reason to believe the occupants of a vehicle are dangerous, likely to flee or resist, or have committed a violent felony, follow these procedures:

- A. Notify Communications immediately. Give the location and best possible description of vehicle and occupants.
- B. Keep the suspect vehicle in view and request assistance. Keep support units informed of the location and direction of travel.
- C. Assume responsibility of controlling officer unless relieved by a supervisor.
- D. Do not stop the suspect vehicle until adequate support units are in position.
- E. Plan to stop the vehicle in a location which presents minimal danger to all concerned.
- F. When conditions are appropriate, move into position to the rear of the suspect vehicle.
- G. Signal the driver to stop using all emergency equipment.
- H. Stop the vehicle on the extreme right side of the road whenever possible.
- I. Turn off the siren.
- J. Park the police vehicle to offer maximum cover using the pillars in line to put as much of the squad as possible in between the officer and the suspect vehicle.
- K. At night, focus all lights on the interior of the suspect vehicle.
- L. Exit the police vehicle quickly and move to the rear of the squad where the officer still has view of the entire suspect vehicle.
- M. The control officer only will direct each occupant to exit the vehicle individually according to specific instructions. Have the suspect(s) move back to the cover of the squad car. Do not leave cover to handle a suspect. Use appropriate tactics and search positions. If the control officer is not loud enough for the occupants to hear, another officer can take over commands.

- N. Designate specific support officers to be arresting officers who will search and handcuff the suspects when the suspect vehicle is empty.
- O. Support officers will cover the arresting officers and not give additional commands in order to prevent confusion.
- P. Use extreme caution to avoid a potential cross-fire situation.
- Q. If possible, order suspects into a prone position with arms and legs outstretched prior to handcuffing and searching. Otherwise, order the suspects into a kneeling position with legs crossed, hands behind head and fingers interlaced.
- R. When the vehicle appears empty, direct two officers, if available, to secure the vehicle after the suspects are handcuffed and searched. The securing officers must use appropriate covering moves, avoid cross-fire positions, and check the trunk.
- S. Use handcuffs as soon as possible. Thoroughly search all suspects.
- T. If it is necessary to shoot a suspect in accordance with General Order 4.1, "Use of Force," handcuff the suspect even though he is wounded and summon emergency medical service immediately. Use appropriate first aid techniques until arrival of emergency medical service. Remove handcuffs only if the suspect is no longer resisting, is disarmed and it is necessary to render first aid.

IV. STOPPING OVERSIZE VEHICLES

As an option when stopping an oversized vehicle, you may use the following procedures.

- A. If there is no suitable location for a standard traffic stop, gain the violator's attention and signal that he is to follow the police vehicle to a stop.
- B. Pull the police vehicle in front of the violator and lead him to a safe position with enough room capable of supporting the weight of the special vehicle.
- C. In this situation, approach the vehicle from the front.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.47

SUBJECT: CANINE UNIT

**DATE OF ISSUE:
07/01/00**

POLICY

The Lewisville Police Department canine is used to enhance safety of officers and the public in certain situations regarding searches or apprehension of suspects. This procedure explains how the canine unit operates.

PROCEDURE

I. DEFINITIONS

CANINE HANDLER means the specially trained police officer to whom a specific law enforcement dog is assigned.

CANINE UNIT means a team consisting of a specially trained law enforcement dog and its handler.

LAW ENFORCEMENT DOG means a canine owned by the City of Lewisville and assigned to a handler within the police department. The canine is trained to protect its handler, apprehend fleeing criminal suspects, locate criminal suspects hiding within a building or in an outside area and detect selected narcotics.

II. USE OF THE CANINE UNIT

A. Canine Units may be used, but not limited to the following situations:

1. Burglaries when the officer believes the suspect may still be in or near the location.
2. Burglar alarm calls.
3. Any call, Class B and above, when the suspect flees on foot and may still be in the area.
4. Tracking lost children when the child's life or well being is at immediate risk and the child's parents sanction use of the search with an understanding of the potential risk.

5. Public demonstrations approved by the patrol operations commander.
 6. Execution of narcotics search warrants or requests by officers for narcotics detection in compliance with law on search and seizure.
- B. The Canine Unit should not normally be used for the following:
1. Transporting prisoners.
 2. Apprehension of Class C suspects.
 3. Routine calls which would cause the unit to be out of service for a long time.
- C. The dog should not be permitted off-leash in a public area except when necessary in the performance of a law enforcement dog task.
- D. Evaluate the following before using the dog to apprehend a suspect:
1. The severity of the crime at issue.
 2. Whether the suspect poses an immediate threat to the safety of officers or others.
 3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

III. CANINE UNIT REQUESTS

- A. Requests for Canine Units within the City of Lewisville:
1. A request for the use of the canine unit may be made by any police officer at the scene of an incident. Such requests shall be made over the police radio to the canine unit on duty.
 2. If the canine unit is off duty, the dispatcher will phone him when approved by a duty supervisor.
 3. Upon the arrival of the canine handler, the requesting officer will fully explain the nature of the incident.
 4. If there is no supervisor present, the canine handler shall be responsible for justifying use of the canine and the tactics employed.

5. If any request for canine deployment is not warranted, tactically unfeasible, or in violation of this order, the canine handler will advise the supervisor. If the supervisor insists, the canine unit will proceed as directed with the supervisor assuming responsibility for the deployment.

B. Canine Unit requests outside the City of Lewisville:

1. All requests for canine assistance outside of the City of Lewisville will be forwarded to the watch commander on duty for approval. The watch commander will consider:
 - a. Compliance with this order.
 - b. Travel time.
 - c. Need for the canine unit in Lewisville.
2. The canine unit may deploy to assist members of the Dallas/Fort Worth Interlocal Assistance Agreement.
3. The canine unit may deploy to assist agents or officers from state and federal law enforcement agencies.
4. The canine officer will write a report furnishing information relative to the request, the need for such request, the action taken on the request, and the results of the assistance provided.

C. Building and Field Search Techniques

1. Building Search
 - a. Notify the canine unit as quickly as possible for the building search.
 - b. Patrol will secure the building's perimeter.
 - c. Patrol will evacuate the building if there is anyone other than the suspect in the building.
 - d. The handler will identify himself as a police officer and issue a verbal warning just prior to entering the building. The handler will repeat the warning anytime the canine unit enters an area where a previous warning may not have been heard. A bullhorn or PA may be used to ensure the warning is heard by suspects within the

building.

- e. Patrol will provide a cover officer for the canine unit. The cover officer's responsibility is to protect the canine unit as it searches forward. If a suspect is encountered and an arrest is necessary, the cover officer will make the arrest. The cover officer should avoid interrupting line of sight between the suspect and dog.
- f. The canine unit will begin searching for additional suspects after:
 - i. The first suspect is properly interviewed for information about additional suspects, and
 - ii. A cover officer is available to provide assistance.

2. Field Search

- a. Notify the canine unit as quickly as possible of the field search.
- b. Patrol will set a perimeter around the area to be searched.
- c. Officers will avoid walking in the area where the suspect may be or may have traveled. Tracks other than those of the suspect confuse the dog and decrease the likelihood of success.
- d. Patrol will provide a cover officer to ensure canine unit safety and make arrests.

IV. PROFICIENCY AND MAINTENANCE

- A. The handler will ensure that the dog completes a scheduled maintenance and training program. The handler will communicate regularly with the unit supervisor concerning training needs.
- B. Procedure for processing feed bills, veterinarian bills, and equipment repairs and requests:
 - 1. All dog food will be purchased from a vendor where a charge account exists in accordance with City of Lewisville purchasing procedures.
 - 2. If the dog needs medical services, the handler will take him to a department approved veterinarian. The bill will be processed accordance with City purchasing procedures.

3. Requests for additional equipment repairs or replacement will be made to the unit supervisor. The supervisor will then forward a written request on the appropriate form to the patrol operations commander for approval.

V. RESPONSIBILITY

- A. The canine unit is assigned to Patrol Operations. The canine handler will report to a Patrol Sergeant or Captain for day-to-day operations unless on special assignments. The Patrol Bureau Commander will assign the Canine Unit Supervisor.
 1. The Canine Unit Supervisor will:
 - a. Manage the canine program for the department.
 - b. Coordinate all requests for demonstrations approved by the operations commander and special assignments.
 2. The Canine Handler will:
 - a. File a CSPro report on each call involving use of the Canine Unit and a Response to Resistance Report in Blue Team when force is used.
 - b. Maintain all special equipment and supplies for canine handling.
 - c. Provide proper feeding and health care for the dog.
 - d. Properly maintain and clean the kennel at his home.
 - e. Receive sufficient training to comply with professional standards for canine maintenance. Training shall be conducted at a date, time, and location approved by the unit supervisor.

VI. HOURS OF ASSIGNMENT

- A. The patrol operations commander will assign the canine patrol shift.
- B. The canine unit's hours will be assigned by the Patrol Operations Commander. Canine officers will receive ten (10) hours of compensation per two-week pay period for the care, cleaning and maintenance of the dog and equipment.

VII. CANINE BITES

- A. If a person is bitten by a Lewisville Police Department canine, the canine handler will:
1. Summon a supervisor to the scene.
 2. Take a color photo of the bite.
 3. Ensure the suspect is offered appropriate medical services if the skin is broken.
 4. Notify the watch commander on duty concerning any alleged bite.
 5. Prepare a bite report giving the details of the incident.
 - a. Include names of all witnesses.
 - b. Explain why the dog was deployed.
 - c. Explain why or why not verbal warnings were given.
 - d. If intentional, why was force reasonable?
 - e. Describe probable cause.
 6. The handler will forward his report and photos to the watch commander on duty for review. The watch commander will review the incident and write a report for the chief of police with his initial finding.
 - a. The chief of police will direct a staff review of all bites.
 - b. The bite reports will be filed in the same manner as all incidents examined by the Safety Review Committee.

VIII. CANINE SECURITY

- A. The canine handler must secure his assigned law enforcement dog in a kennel or fenced enclosure approved by the chief of police when he is not in actual control of the dog.
- B. If the handler is required to be out of town for more than 24 hours, the Department will house the dog in a veterinary or commercial kennel approved by the chief of police.
- C. The handler may not remove the dog from the city limits except in the line of duty, for training, or for medical care.

IX. REQUIREMENTS FOR ASSIGNMENT AS A CANINE OFFICER

- A. Possess the ability to house the dog considering such factors as the handler's family, space, and other animals.
- B. Qualify for a take home vehicle under applicable Department and City policies.

X. CANINE NARCOTICS TRAINING AIDS SECURITY AND CONTROL

- A. Narcotics training aids are required to effectively train and maintain narcotic detecting canines. Due to the responsibilities and liabilities involved with possessing readily usable amounts of narcotics, the following procedures must be followed:
 - B. Lewisville Police Department canine handlers may use narcotics provided by the DEA (Drug Enforcement Administration) Diversion Program
 - a. A Federal DEA certificate is required for participation in the DEA Diversion Program.
 - b. The renewal for the certificate is required annually.
 - c. A minimum of one handler must hold the DEA certificate to be able to participate in the program.
 - d. Any narcotics provided by the DEA must be destroyed according to department policy before new narcotics can be ordered. A copy of the completed "Registrant's Inventory of Drugs Surrendered" (DEA-41 form) must be submitted to the Laboratory indicating destruction of previously obtained materials from DEA before new training aids will be supplied.
 - e. When DEA training narcotics are provided, upon receipt, they will be weighed and field tested by the handler. A second handler or Watch Commander will be present to verify the results.
 - C. Lewisville Police Department canine handlers may use narcotics from Property/Evidence that are converted to training use from previous drug seizures provided the cases have been disposed of and no longer serve any evidentiary purpose.
 - a. All training narcotics shall be weighed and field tested by the canine officer with a property technician present to verify the results prior to issuance to the officer.

- b. The canine officer who checks the narcotics out will sign the appropriate forms to be maintained in the Property/Evidence room until the narcotics are no longer viable and need to be turned back in for final destruction.
- D. Proper storage of training narcotics is essential to maintain the integrity of the practice of using them.
- a. When not being used for training, the training narcotics shall be secured in the designated lockbox that can be accessed only by the K9 Supervisor or the Canine Handlers.
 - b. The designated lockbox shall be secured to the floor in a limited-access room within the police department.
 - c. Training narcotics will never be taken home for any reason.
 - d. Training narcotics will never be stored in a squad car or location other than the designated secure location.
 - e. All training narcotics will be returned to the designated secure location at the conclusion of training or the conclusion of the handler's shift.
 - f. Only Canine handlers and the Canine Supervisor will have keys to access the designated lockbox.
- E. The documentation related to the training narcotics must be maintained by the Canine Handlers and the Canine Supervisor. This includes the DEA required forms and a logbook of the narcotic retrievals and returns to the lockbox. Separate logbooks will be maintained for the DEA Diversion Program and the Lewisville Property room training narcotics.
- a. A quarterly inspection of the training narcotics will be completed by the Canine Handlers and the Canine Supervisor to ensure narcotic weight and packaging integrity.
 - b. If any packaging has been compromised or shows signs of wear, it will be repackaged.
 - c. Repackaged training narcotics will be weighed, and field tested prior to repackaging.

- d. If any significant weight discrepancies are discovered during the quarterly audit, it will be reported to the Chief immediately.
 - e. Every 6 months, Internal Affairs will conduct an inspection of the Canine narcotic training aids. The inspection will concentrate on how well policies and procedures are being followed. This inspection will consist of ensuring packaging integrity, accuracy of in/out logs and ensuring documented drug weights are accurate.
 - f. The handler will immediately report the loss of any narcotics training aid to the Canine Supervisor. Any partial or significant loss of a training substance shall also be reported immediately.
 - g. Any loss of DEA issued training aids must be reported to the DEA within 24 hours of occurrence. DEA Form 106 (Report of theft or Loss of Controlled Substance) must be completed.
 - h. Each handler will be responsible for signing out his/her training aids and indicating when they are returned to the designated lockbox. The checklist(s) will always remain inside the lockbox.
- F. Canine handlers and sergeants will follow guidelines in the canine narcotics training aids security and control manual when handling and storing narcotics.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.48

SUBJECT: DWI INVESTIGATION AND BLOOD SEARCH WARRANTS

**DATE OF ISSUE:
04/01/98**

PURPOSE:

This directive describes the requirements for a DWI arrest.

PROCEDURE:

I. PROBABLE CAUSE IS REQUIRED

- A. Before an officer may arrest for DWI, he must have probable cause to believe the individual did not have normal use of his mental or physical faculties because of intoxication.
- B. The officer must develop probable cause prior to the arrest through:
 - 1. Observation of the person's driving ability.
 - 2. Observation of the person's behavior and appearance.
 - 3. Observation of the person's performance in standardized field sobriety tests.
 - 4. Statements from witnesses.
- C. Additional evidence is gathered after the arrest through:
 - 1. Chemical tests to determine the person's alcohol content in the blood.

II. REFUSAL TO TAKE A BLOOD TEST

- A. In the event the suspect refuses to submit to a voluntary blood draw, the arresting officer shall attempt to obtain a search warrant for the suspect's blood.
- B. Involuntary blood draws are not permitted unless a search warrant has been issued for that person's blood.

- C. A supervisor may determine that attempting to procure a search warrant to obtain blood evidence is not appropriate for the given circumstances.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.49

SUBJECT: RECOVERED STOLEN VEHICLES

**DATE OF ISSUE:
01/15/95**

PURPOSE

The recovery of stolen vehicles is an excellent opportunity for the Department to aid crime victims. The Department will recover vehicles in a manner to preserve evidence while minimizing cost to the victim.

PROCEDURE

I. VEHICLES REPORTED TO THE LEWISVILLE POLICE DEPARTMENT

- A. An officer finding a vehicle reported stolen to this Department will:
1. Confirm the theft report with the Communications Section.
 2. Collect any physical evidence (call for an investigator, as approved by a supervisor, if assistance is needed).
 3. Attempt to locate the owner to arrange for them to retrieve the vehicle if drivable or to make arrangements for the vehicle to be towed to a location of their choice at their expense.
 4. Impound the vehicle if the owner cannot be located to make other arrangements to pick it up.
 5. Complete a Supplemental Report.
- B. Communications will:
1. Assist officers in notifying the owner of the vehicle, whenever possible, to make arrangements to pick up the vehicle before it is impounded.
 2. Clear the vehicle stolen entry from NCIC/TCIC and the abandoned vehicle file.
 3. Make an owner notification report using the original offense number. Include the date, time, location, wrecker service used, and all other pertinent information.

II. VEHICLES REPORTED TO OTHER AGENCIES

- A. An officer finding a vehicle reported stolen to another agency will:
1. Confirm the stolen report through Communications.
 2. Preserve the vehicle for evidence processing if requested by the reported agency.
 3. Attempt to locate the owner to arrange for them to retrieve the vehicle if drivable or to make arrangements for the vehicle to be towed to a location of their choice at their expense. Complete an information report to include date, time, location, vehicle condition, wrecker service used, other agency OCA, and all other pertinent information.
 4. Impound the vehicle or make other disposition as directed by the other agency.
- B. Communications will:
1. Confirm the stolen report with the other agency and request a confirming teletype message.
 2. Determine if the vehicle is to be preserved for evidence processing.
 3. Send a teletype message to the other agency containing date, time, location, vehicle condition, wrecker service, vehicle registration information, and incident number.
 4. Enter the vehicle into NCIC/TCIC stored-abandoned file and clear when released.
 5. Make an owner notification report. Include date, time, location, vehicle condition, wrecker service used, other agency OCA, and all other pertinent information. Attach a copy of the teletype message.

III. VEHICLES REPORTED TO THE LEWISVILLE POLICE DEPARTMENT BUT RECOVERED BY ANOTHER AGENCY

- A. Communications will:
1. Confirm the stolen report and send a confirming teletype message to the

other agency.

2. Make an owner notification report using the original offense number. List date, time, location of recovery, location of storage, condition of vehicle, arrest information, and other agency report numbers if applicable. Attach a copy of the teletype message.
 3. Clear the stolen entry from NCIC/TCIC.
 4. Notify the complainant whenever possible.
 5. Notify the other agency if CID has requested that the vehicle be processed for evidence.
- B. CID will ensure that the owner of the vehicle is notified as soon as possible if Communications has not been able to contact the owner.

IV. IMPOUNDING STOLEN VEHICLES

Whenever it is necessary to impound a stolen vehicle, the officer will:

- A. Use the wrecker service on call.
- B. Complete a vehicle impound card showing date, time, location, wrecker service, vehicle condition and document contents in the vehicle if there is access to the interior of the vehicle.
- C. Forward the appropriate copy of the vehicle impound card to the desk officer who will maintain a file of impounded vehicles.
- D. Remain with the vehicle until the wrecker service arrives.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.50

**SUBJECT: CRIMINAL INSTRUMENT ENFORCEMENT
(BOOSTER BAGS)**

**DATE OF ISSUE:
01/15/97**

I. PURPOSE

Officers contacting suspects in possession of booster bags should enforce Penal Code Section 31.15 Possession, Manufacture, or Distribution of Certain Instruments used to Commit Retail Theft.

II. PROCEDURE

A. DEFINITION:

“Shielding or deactivation instrument” means any item or tool designed, made or adapted for the purpose of preventing the detection of stolen merchandise by a retail theft detector. "Booster Bags" are plastic or paper shopping bags that have a duct tape liner on the inside of the bags specially designed to defeat electronic sensor devices.

B. In most cases, on-duty officers will arrest when they view a person in possession of a shielding or deactivation instrument such as a booster bag.

C. When an officer responds to a business where the retailer has detained a suspect for possession of an instrument used to commit retail theft (Penal Code 31.15), the officer will file an offense report. The bag will be confiscated as evidence and a property & evidence sheet completed. Subjects detained to prevent the consequences of theft should be arrested for the theft offense. Officers should then prepare a probable cause affidavit to be presented to the judge at arrangement.

D. Officers working off-duty security in plain clothes may make an arrest when the offense is committed within their view. Once a suspect is in custody, LPD will be contacted. The off-duty officer will be the arresting officer on the arrest report. If there is a shopping center or mall representative available, the officer should allow them opportunity to give a criminal trespass warning, if they desire.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.51

SUBJECT: CAUTION NOTES

**DATE OF ISSUE:
01/15/95**

PURPOSE

It is the intent of the Patrol Division to gather and base decisions on the best information available. To that end, the purpose of this order is to implement a system for adding caution notes to specific addresses assigned to the CAD system. These notes provide specific information to officers responding to locations with specific hazards that might affect safety.

PROCEDURE

- I. Officers requesting caution notes will first contact their supervisor and relay specific information regarding the need for caution notes. Example: A person makes a threat to use a handgun against anyone. Just having or possessing firearms will not by itself be considered sufficient cause for caution notes.
- II. The supervisor will consider the request and provide the officer with verbal approval of the request.
- III. The officer will contact the communications section, preferably by phone, to have the caution notes added. The officer will inform the communications operator of the supervisor authorizing the notes.
- IV. Non-specific terminology will not be allowed for entry as a caution note, such as "crazy, 10-96, flaky", etc.
- V. Federal and state legislation prohibits the use of computerized files to maintain medical information relating to AIDS and other medical conditions without the express permission of the party with the medical condition. A person infected with AIDS does not qualify for caution notes. All officers should constantly remain concerned with exposure to blood borne pathogens and other bodily fluids.
- VI. Caution notes will remain in effect for one year from the date of entry. Caution notes may be removed early if the cause for concern moves or for some other reason is neutralized.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.53

**SUBJECT: DRIVING WHILE LICENSE INVALID
(DWLI)**

**DATE OF ISSUE:
06/17/97**

PURPOSE:

This order is to provide guidelines for officers reporting arrests for driving while license invalid.

PROCEDURE:

Follow the following procedures for reporting a driving while license invalid arrest:

1. The offense of driving while license invalid is a Class C misdemeanor unless the offender has a prior conviction for driving while license invalid in which case it is a Class B misdemeanor.
2. A prior conviction can be determined by the DPS driving record or criminal history.
3. In situations involving a Class C misdemeanor, the offender should be issued a citation if they can be identified by the officer. When an arrest occurs for a Class C misdemeanor, the officer will complete a detail of arrest report and municipal court complaint.
4. In situations involving a Class B misdemeanor, officers may elect to treat the offense like a Class C misdemeanor and, in lieu of making an arrest, issue the offender a citation. In a case where an arrest is made, the officer is only required to complete a details of arrest report and a Probable Cause Affidavit.
5. In cases resulting in an arrest, attach the teletype from TLETS indicating the suspension data.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.54

**SUBJECT: MOBILE VIDEO/AUDIO
RECORDING EQUIPMENT**

**DATE OF ISSUE:
11/20/00**

PURPOSE:

Mobile digital video camera systems are installed in patrol vehicles to enhance investigations and assist in the prosecution of offenders. Video camera systems also provide protection from false complaints and civil liabilities.

PROCEDURE:

I. VIDEO FILE STORAGE

- A. When a squad car arrives at the main police building, any video currently saved in the car camera system downloads to a computer in the police department.
 - 1. The area where the video file is saved to is referred to as the archives folder.
 - 2. Video files in the archives are only stored for 365 days after which they automatically delete from the computer and cannot be recovered.
 - 3. The final level of video file storage is the permanent folder. Video files in this folder have to be physically deleted by authorized personnel.

II. OPERATION

- A. Officers must log into the camera system so that video files are properly named.
- B. Officers are responsible for testing the video camera system prior to checking into service. Any malfunction or damage will be immediately reported to a patrol supervisor.

III. ACTIVATION

- A. All officers will ensure the video camera system is on when exiting the vehicle on a traffic stop, a pedestrian stop, during a code response or a pursuit. The camera and internal microphone will activate automatically when emergency lights are activated. However, the officers are responsible for always checking this. If the equipment malfunctions and cannot be activated, the equipment must be reported immediately to the patrol supervisor and repaired as soon as possible.

- B. Officers are allowed and encouraged to record any contact they feel is becoming controversial, dangerous, etc. At no time will an interview be conducted between two vehicles for officer safety. The camera can be rotated as necessary to ensure a contact occurring to the side of the vehicle is recorded.
- C. The AM/FM commercial car radio will be turned off whenever audio/video equipment is in use.
- D. The camera may be manually activated from inside the vehicle using the button(s) on the control box or MCT screen. The camera will record 20 seconds of time prior to record activation.
- E. The camera may also be activated by remote from the officer's body microphone (if used by the officer).
- F. To ensure the video and audio functions are working on each stop, a red light on the front of the camera will be viewed when standing outside of the vehicle if the video and audio of the camera are functioning properly.

IV. DEACTIVATION

- A. After each use, the camera must be manually deactivated from inside the vehicle.
- B. Officers will not disable, disrupt, tamper, or otherwise interfere with a required activation. The video recording of all traffic stops must cover the entire event without "dead" spots caused by the officer disabling equipment.
- C. Officers will not delete, or in any manner alter videos or the equipment.

V. VIDEO FILE RETENTION

- A. When an officer records video with evidentiary value, the officer will complete a Digital Download Request (DDR), so that the video file will be moved to the permanent storage folder. The DDR will be turned in to the property section. Class C misdemeanor traffic violations that are captured on video will not be submitted for permanent storage, unless the defendant pleads not guilty. The municipal court will complete a DDR in that case.
 - 1. Steps in completing a Digital Download Request (DDR).
 - a. Suspect's last and first name. If there is more than one suspect, all suspect(s) should be listed. If completing this form on a computer, do not "expand" the form onto a second page, this will not be accepted. In the case of multiple names, it is preferred to handwrite

the DDR. The offense(s) block can be used to write in the names if there are multiple suspects.

- b. Date of birth of the suspect(s).
 - c. The report number, or if not a reporting incident, the CAD number of the call.
 - d. Offense(s) charged. List all charges except warrants. In the matter of internal issues, list the reason for requesting (i.e. use of force, fleet accident, officer complaint, etc.)
 - e. Name. This is the name and ID of the video recording officer, not the requesting officer. For example, if a sergeant is requesting a use of force video be saved, the sergeant will write the officer's name under which the video was recorded.
 - f. Unit number. The four-digit number of the squad car that recorded the video.
 - g. Date/Time. The date and time the video began recording.
 - h. The chain of custody section will be completed by property technicians.
- B. Officers will classify the video file to be saved by report or CAD number.

Steps for bookmarking:

1. Log in.
2. When the software loads, enter the OCA#, CAD#, room number or officers' name in the SEARCH FOR box.
3. You can set the "From To, Hour, Min, AM/PM" to locate the video. Click on SEARCH.
4. Select the video to be viewed by double clicking.
5. The screen, much like what is displayed on the MCT's, appears and the video begins playing.
6. Click on CLASSIFY. Double click on the DATE and TIME in the classify list. Click on CLASSIFY TAG and enter the correct choice from the drop-

down menu. In the NOTE box, type in the OCA#, name, DOB, and any other pertinent information. Click APPLY. This will bookmark the video.

- C. Supervisors should complete a DDR on any non-criminal event that they believe may be of importance, for example fleet accidents where a citizen is involved. A supervisor may also classify a file for a use of force, citizen complaint or similar issue the supervisor believes may take over a year to fully resolve or could result in civil litigation.
 - 1. In completing administrative forms for issues listed in C, supervisors will note that a video file exists and the number under which it was saved (report or CAD number.)
- D. Property Technicians responsibilities
 - 1. Upon receiving a DDR, the technician will transfer the video file to permanent storage.
 - 2. The technician will begin a chain of custody provided on the form, showing the video file transferred from the archive to the permanent storage folder.
 - a. If a property sheet exists for the same incident, the technician will list the transfer as the next available item number.
 - b. Upon request for a copy of the video (District Attorney's Office, Administrative, etc.), the technician will create a DVD or E-file the case. This action will be reflected on either the DDR or in Que-Tel.
 - 3. DDR's will be kept in the property sheet binders.
 - 4. Evidentiary video files in permanent storage folders can only be deleted after the technician receives a final disposition of a criminal case from the District Attorney's office.
 - 5. Administrative video files in permanent storage folders can only be deleted after 90 days and the technician receives written documentation from the rank of captain or above.

VI. REPAIR AND MAINTENANCE

- A. Repair of equipment will be processed through the manufacturer or designated repair facility. Malfunctioning equipment will be reported to a patrol supervisor immediately and a vehicle maintenance request form will be completed and turned in.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.56

SUBJECT: TRAFFIC DIRECTION

**DATE OF ISSUE:
12/15/2009**

POLICY

In the interest of public safety, there will be times when an officer will need to manually regulate the flow of traffic. The purpose of manual traffic control is to ensure an orderly flow of traffic, prevention of collisions and congestion, and to ensure the safety of motorists and pedestrians.

PROCEDURE

I. MANUALLY DIRECTING TRAFFIC

- A. **Uniform Signals.** When malfunctioning signal lights, special events, or other situations make it necessary for traffic to be manually controlled and directed, officers will use uniform manual signals. These will be the traffic and pedestrian control signals as taught by the TCOLE basic peace officer course curriculum. Non-sworn personnel are prohibited from engaging in traffic direction and control procedures.
- B. **Reflective Vest Required.** Officers will wear the department-issued reflective vest when directing traffic. If immediate action is necessary before the vest can be put on, officers will put on the vest as soon as conditions permit and continue wearing it until no longer manually directing traffic. Reflective vests will be required to be worn over raincoats or rain suits used in inclement weather unless the raincoat meets the ANSI 107 Class 2 standard.

II. MANUAL OPERATION OF TRAFFIC CONTROL SIGNALS

Manual override of electronic traffic control signals is discouraged except when unusual or exigent circumstances exist. Permissible circumstances include: to facilitate traffic movement at a collision or other emergency scenes; to alleviate congestion at rush hours or special events; or when the signal is malfunctioning. Officers discovering or advised of a traffic signal malfunction will report the condition to dispatch who will request that a signal light technician be sent to the location to repair the malfunction.

III. TEMPORARY TRAFFIC CONTROL DEVICES

Placement and Removal. When an emergency exists, such as a power outage or hazardous street condition, officers should request placement of temporary traffic control devices, movable barriers, and/or portable signs through dispatch. Placing and removing these devices is the responsibility of the city's Traffic Division.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.57

SUBJECT: TRAFFIC ENFORCEMENT
(Std. Ref. 7.28)

DATE OF ISSUE:
12/23/2009

POLICY

The goal of the Lewisville Police Department Traffic Enforcement Policy is to reduce traffic collisions and facilitate the safe and expedient movement of vehicle and pedestrian traffic through voluntary compliance with traffic and motor vehicle laws.

PROCEDURE

I. TRAFFIC ENFORCEMENT

- A. Officers shall use verbal warnings, written warnings, citations, and physical arrests to have motorists voluntarily comply with traffic laws and regulations for maximum reduction of accidents.

II. VIOLATOR CONTACTS

- A. Officers should keep in mind that once they have stopped the violator and begin their contact, they are on public display in the eyes of the violator.
- B. Officers must conduct themselves in a professional manner, keeping in mind use of proper language, bearing, and emotional stability.
- C. Officers should be certain of their observations of the alleged violation, have the necessary forms and equipment to deal with the situation, greet the violator with the appropriate title in a courteous manner when requesting driver and vehicle identification, and explain to the violator the reason for the stop.
- D. Officers must keep in mind that some violators encountered will show signs of emotional distress. Officers must deal with these individuals in a calm, courteous manner to relieve them of any anxiety.
- E. Traffic enforcement action will be taken without regard for such factors as attitude, intent, or frivolous excuse.

III. ENFORCEMENT ACTION

- A. The department permits its officers to utilize experience, training, good judgment, common sense and discretion, while considering all factors existing at a particular time and place, to determine what actions should be taken.
- B. Facts to be considered might include visibility, weather, traffic volume, and degree of hazard; but should not ordinarily include violator attitude, intent or excuse.
- C. Enforcement action related to violations of traffic law may consist of a written or verbal warning, citation, or physical arrest. Traffic law enforcement should seek to detect, apprehend, and deter traffic law violators, and bring about voluntary compliance by the public with all traffic laws.
 - 1. **Verbal and written warnings** - Are appropriate when a violator commits an act which may be due to ignorance of a local ordinance or a violation of which the driver may not be aware, or when used as a form of safety education in which the officer informs the violator he/she has violated the law and explains the law to him/her. Warnings should be kept to a minimum and should not be used to avoid issuing a citation when the citation would be the most appropriate corrective action.
 - 2. **Citations** - A traffic citation is a written notice issued to the violator at the time of contact which requires a court appearance or payment of a fine. Citations are the most common form of traffic enforcement action. Studies have shown that citations have a more long term affect on the violator and tend to accomplish more corrective driving behavior than verbal or written warnings. Whenever legally and practically possible, officers of this Department shall issue citations where circumstances dictate the need to correct unsafe driving behavior. Before releasing the traffic violator, the officer should make him aware of the correct procedures, administrative action, and court appearances. This dialog should be as quick as possible to avoid any conflicts or problems.
 - 3. **Physical arrest** – Officers may arrest any person in violation of traffic laws pertaining to driving under the influence of alcohol/drugs or traffic offenses committed in the commission of other crimes. Arrest of a traffic violator can also be made with any valid and confirmed traffic or criminal arrest warrant. Other incidents may occur in which a physical arrest is warranted. However, the decision to arrest should be based upon legal principle as opposed to peripheral issues such as a violator's attitude.

IV. SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

- A. The Traffic Sergeant will have the role of Project Director/Grant Supervisor for the Selective Traffic Enforcement Program (S.T.E.P.) Grant. The S.T.E.P. Grant is made possible by the Texas Department of Transportation and the Federal Government.
- B. Officers assigned to the traffic unit will be given priority on S.T.E.P. assignment grants. Other sworn employees may volunteer to work assignments and will be scheduled after all Traffic personnel wishing to work have been scheduled.
- C. A sign-up sheet will be posted monthly in the traffic office with dates for officers to sign up and work the S.T.E.P. Grant.
- D. Personnel desiring to work grants must meet the requisite training requirements prior to receiving any assignments. The specific training requirements vary from grant to grant (i.e. SFST certified if DWI Grant or Radar and/or Lidar certified if working Speed Grant). Therefore, the employee is responsible for contacting the Traffic Sergeant to determine the prerequisites for working a grant.
- E. Personnel working grants must be aware that the Department's performance is assessed based on the purpose of each grant. The officer's primary responsibility is to aggressively enforce traffic laws pertinent to the particular grant assignment. Any questions about the type of enforcement for each grant should be directed to the Traffic Sergeant. The Traffic Sergeant is responsible for overseeing the agency's performance toward meeting the grant's performance measure/target numbers.
- F. Personnel are required to complete an activity sheet at the end of each shift. All citations written will be recorded on the activity sheet and total citations will be entered in the proper category on the front of the activity sheet. The activity sheet will be turned in to the Traffic Sergeant at the end of each shift. Documentation of any problems encountered as well as activity should be listed on the activity sheet.
- G. The on duty watch commander is responsible for supervising officers working the S.T.E.P. Grant. All citations and arrest/impound paperwork will be turned in to the watch commander at the end of the officer's shift. The Traffic Sergeant will be responsible for documenting the overtime on the officer's time sheet using the appropriate S.T.E.P. account number.
- H. An officer must successfully complete the department Field Training Program before he is allowed to work a S.T.E.P. Grant assignment.

- I. An officer may not work more than 16 continuous hours, including regular duty hours, S.T.E.P. hours, or off duty job hours in a calendar day (12:00 a.m. through 11:59 p.m.).

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.58

**SUBJECT: OFFICER INVOLVED SHOOTING (OIS)
RESPONSE AND IN-CUSTODY DEATHS**

**DATE OF ISSUE:
07/09/2013**

POLICY

This policy addresses the protection of the rights of all persons involved in officer involved shooting (OIS) incidents, in-custody deaths, and the control of the investigations of these incidents.

PROCEDURE

I. DEFINITIONS

- A. In-custody Death – any death caused by a police officer of this agency in the performance of his duties or a death of a person while detained, arrested, or confined.
- B. Deadly Force – as defined in General Order 4.1.
- C. Officer Involved Shooting (OIS) – a discharge of a firearm by an officer during a hostile encounter or a negligent discharge that results in injury.

II. OIS AND IN-CUSTODY DEATH INVESTIGATIONS

- A. Two separate and distinct investigations shall be conducted in every incident involving any officer that uses or causes the use of deadly force against any person resulting in death or serious bodily injury. All other shooting investigations are covered in General Order 2.14, IX, B. This order applies to OIS and in-custody deaths. The two investigations are described below.
 - 1. A criminal investigation conducted by an entity with either countywide or statewide jurisdiction. If an outside agency officer is not available, the department's Criminal Investigation Section will conduct such an investigation.
 - 2. An administrative investigation conducted after a criminal investigation by an Internal Affairs investigator or an investigator assigned by the chief of police.
- B. Protection of a participating officer's constitutional rights is critical in any criminal investigation of the use of deadly force in which they are involved as participants.

Administrative investigations, however, demand responses outside the constitutional safeguard. These investigations do not focus on the culpability of the officer. They target the officer's compliance with departmental standards as enunciated in policies, procedures, training and rules.

- C. Because statements to administrative investigators are not available for use in a criminal court proceeding as they are compelled under duress (expressed or implied disciplinary actions as an alternative), they are immune from the safeguard of self-incrimination. Consequently, an officer must respond to queries and directives of an Internal Affairs investigator or face appropriate disciplinary measures.

III. NOTIFICATIONS

Notify Fire and EMS to respond and provide life-saving measures as appropriate. Additionally, the ranking supervisor or non-involved officer will notify the department's chain of command to include the chief of police or his designee of any officer involved shooting.

IV. RESPONSIBILITIES

- A. Officer(s) Responsibilities:
 - 1. Scene security should be a priority. All officers should ensure the scene is secure, including handcuffing persons responsible for causing the OIS. Responding officers should clearly establish from the involved officer(s) whether additional suspects are involved, and thereafter communicate any suspect descriptions and locations.
 - 2. Once scene security is established, officers should provide medical attention to all injured persons until EMS arrives.
 - 3. If one is not present, officers should request a supervisor respond to the scene.
 - 4. If suspects are located, they should be secured and separated.
 - 5. The involved officer(s) should be removed from the immediacy of the incident scene but not removed to a separate location.
 - 6. Officers should secure the incident scene by marking it in accordance with evidence procedures. Officers shall protect evidence from loss, destruction or damage.
 - 7. Unless safety issues warrant, officers shall not remove or alter any involved weapons used by either involved officer(s) or suspect(s).
 - 8. Officers shall not relay information to the media.
- B. Supervisor's Responsibilities
 - 1. Assume command of the scene.

2. Ensure appropriate protection of the scene, crowd control and traffic safety. Control access to the scene by assigning an officer to log all persons entering or leaving the location. Crime scene entry is limited to essential personnel.
3. Contact the involved officer and ask public safety questions that will guide the follow-up investigation. Do not record this conversation. Information collected will help focus the initial police response and direct the preliminary investigation. This information can only include:
 - Type of force used,
 - Direction and approximate number of shots fired by officers and suspects,
 - Location of injured persons,
 - Description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons,
 - Description and location of any known victims or witnesses,
 - Description and location of any known evidence, and
 - Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspect(s).
4. Separate all the involved officers and select a "companion" officer of the same gender to accompany and to support him/her through the investigation. Ask the involved officer(s) their preference of who their companion officer will be and arrange that as soon as possible. If the preferred companion officer(s) is not on duty, a temporary companion will be assigned until relieved by the preferred companion. Remove the officer and companion some distance from the scene to await arrival of investigative personnel. The companion officer should refrain from discussing the incident but should remain mindful that if the officer voluntarily provides details of the incident, the companion officer will provide a supplement report on what they heard.
5. If an officer is transported to a medical facility, ensure that the companion officer accompanies or meets him there.
6. The companion officer should provide all reasonable support to the involved officer and act as liaison between the officer and the hospital.
7. If the officer is incapable of calling, the companion officer shall notify or ensure that another department member notifies his or her emergency contact as soon as possible and in person. The notification shall provide the family members with basic information on the status of the officer and when and where they will be able to see him or her. The notifying officer will make transportation arrangements for the emergency contact and/or immediate family to the medical facility. In the case of serious injury or death, the notification will be made by the chief of police or his designee and the department chaplain, if they are able to respond timely.

8. Companion officers should not relate details of previous OIS situations, even if they have personal knowledge. Companion officers are not tasked with explaining processes, procedures, or offering previous experiences. Instead, companion officers will act as liaisons between the involved officer and other members of the Department.
9. Afford the officer an early opportunity to communicate with family members. The companion officer could perform this service.
10. Return the officer to the scene if needed by the criminal investigator(s). The investigator should keep mindful of media that may be on scene.
11. Canvas the immediate area soon after an officer-involved shooting or deadly force investigation for possible collateral victims, witnesses, damage to property belonging to others, and surveillance video that may have recorded the incident.
12. Secure all officer-involved weapons and magazines. Preserve the weapons and magazines in the condition they were discovered in by the supervisor or responding officers. Weapon attachments should remain attached pursuant to how the weapon was discovered. Weapons used by assailants shall be left alone and handled by follow-up investigators in accordance with evidentiary best practices.
13. Issue the involved officer(s) another duty firearm and magazines to replace any seized weapon.
14. All seized weapons will be processed as evidence and will not be “cleared” at the scene or taken to the range and fired to ensure functionality.
15. Ensure the companion officer accompanies the involved officer to the police department.
16. Supervisor will remain on scene until investigators arrive or relieved by a superior officer.

C. The Watch Commander will:

1. Respond and assume command of the scene until relieved by a higher-ranking officer. Assist with any of the duties mentioned in IV.B.
2. Contact the ADO if not already completed.
3. The supervisor who asked public safety questions of the involved officer(s) will brief initial investigative personnel upon their arrival.
4. Relay pertinent information concerning the incident to officers during subsequent patrol briefings.

D. The ADO will:

1. Respond to the scene.

2. Contact all bureau chiefs, captains, chief of police, and the Internal Affairs investigator to inform them of the deadly force incident or in-custody death.
3. Arrange for the Public Information Coordinator or another ADO qualified individual in his absence to respond to the scene and assume the role of media contact.
4. Arrange for a command staff briefing on the incident.
5. Manage all media inquiries.
6. Support the watch commander and any other supervisors on scene with administrative guidance.

E. A Supervisor from the Criminal Investigations Section will:

1. Request the Texas Rangers respond and conduct the OIS. The supervisor will be the liaison with the Ranger or any other outside entity conducting the criminal investigation (if the Texas Ranger is not available, contact the Denton County Sheriff's Office for assistance). If no outside agency is available to respond, take charge of the criminal investigation. Allow the officer an opportunity to consult privately with legal counsel prior to any questioning or interview concerning the incident, if the officer chooses.
2. Make department resources and staff available to any outside entity conducting the criminal investigation.
3. If investigated by an outside entity, ensure that entity knows that the department prefers that all deadly force cases be presented to the grand jury regardless of the officer's culpability and to obtain statements 48 to 72 hours post-incident from involved person(s). Officers will be allowed to view their mobile video prior to making any statements to investigators.
4. Discuss what information may be released to the media via our department media contact person.
5. Ensure that the involved officer's Bureau chief is informed of the condition of injured victim(s) and the status of the grand jury hearing.
6. Ensure that an in-custody death notification form is completed and submitted to proper authority.

F. The Internal Affairs investigator will:

1. Respond to the scene.
2. Meet with ADO or incident commander and obtain preliminary briefing regarding incident.
3. Collect and review all available evidence to include being present when walk through is conducted.
4. Await notification from the chief of police to begin formal IA investigation to include interviewing of involved officer(s).

5. IA investigation will determine whether involved employee(s) acted within policy.
6. Prepare all necessary reports following the protocol of investigating a Class I complaint according to General Order 2.14.

G. The Bureau Chief of the involved officer will:

1. Respond to the scene.
2. Provide any administrative assistance to the ADO.
3. Help to emotionally support the officer, *not* assist in the investigation.
4. Keep the officer informed about the status of the case.
5. Keep the officer's commander informed.

H. **The Chief of Police will:**

1. Respond to the scene and check on the welfare of the officers involved in the incident.
2. Place the officer(s) on Administrative Leave to conduct the investigation.
3. Ensure a complete criminal and internal investigation is conducted.
4. Ensure that an officer who has used force that causes the death of another is returned to enforcement duty only after a mental health professional determines he/she is fit for duty.

V. INVESTIGATIONS OUTSIDE OF LEWISVILLE

A. In the event that an officer is involved in a use of deadly force incident requiring investigation outside the City of Lewisville, the Department will make a request of the entity having jurisdiction over the incident to allow:

1. The Department to have a separate, but parallel, administrative investigation in cooperation with the entity's investigative unit;
2. The Department's Crime Scene Unit to assist in the crime scene investigation (if necessary); and
3. The Department's Internal Affairs investigator to act as the inter-agency liaison with their agency.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.59

SUBJECT: CIVIL SEIZURES

**DATE OF ISSUE:
06/05/14**

POLICY

The purpose of this general order is to establish a protocol for the seizure of monies and property that is seized under the authority of Article 59 of the Texas Code of Criminal Procedure. The monies and property are considered contraband.

PROCEDURE

I. MONEY SEIZURES

- A. A minimum of one thousand dollars (\$1,000) is required to seize money. (Exception: A smaller amount may be seized if in conjunction with property or a vehicle).
- B. The following cash handling measures shall be followed:
 - 1. A seizing officer shall ensure a second officer is present before handling seized money, if possible.
 - 2. The money shall immediately be placed in an evidence bag, sealed and initialed by both officers. The evidence bag shall not be opened without the presence of both officers.
 - 3. Once at a secure location, the money shall be counted by both officers and witnessed by a supervisor. Officers will follow cash handling procedures outlined in the Evidence Packaging Manual.
- C. There may be instances where money is seized as evidence and as contraband. If the money is seized as evidence, there may be processing that needs to occur on the bill(s). During these instances, the money may not be able to be deposited into the seizure account until its evidentiary value is concluded. This money should be a separate item number than other seized money.

II. VEHICLE SEIZURES

- A. Only vehicles with no lien or a low lien payoff will be seized.
- B. A warrant authorizing the seizure of a vehicle should be obtained if the vehicle is not in the department's custody. If the vehicle is still in the department's custody, it may be seized without a warrant.
- C. A vehicle that is seized must be proportional with the alleged crime, unless the vehicle is "used" in the commission of the alleged crime.
- D. An officer wanting to seize a vehicle that is 10 years old or older must first obtain permission from the Criminal Investigations Captain.

III. PROPERTY SEIZURES

- A. The total worth of any property seized should be a minimum of one thousand dollars (\$1,000). (Exception: A smaller worth may be seized if in conjunction with a vehicle or money).
- B. Property should be kept and stored in a manner that protects the property in the event it has to be returned to the owner.

IV. RESPONSIBILITIES

- A. Seizing Officer
 - 1. Prior to any seizure of contraband under Article 59, the seizing officer shall notify a supervisor of his/her intentions to seize the contraband.
 - 2. With a supervisor approval, the officer shall seize the contraband and note the seizure with an "SZ" in the QueTel system. Do not list seized vehicles in the QueTel system. A detailed inventory should be completed on the contents of any seized vehicle. The inventory should be done on a supplement report and not a vehicle impound sheet.
 - 3. The officer shall maintain a chain of custody of the contraband as they would with any other item that is turned into the Property and Evidence Section.
- B. Supervisor

1. A supervisor shall ensure that any property taken as contraband, complies with Article 59 of the Texas Code of Criminal Procedure.
2. A supervisor shall notify the ADO of the intention to seize contraband that would not otherwise be placed into evidence. Vehicle seizures must have ADO approval.
3. A supervisor shall also notify their Captain and the Criminal Investigations Captain of the seizure. This may be done by email.
4. A supervisor should arrange for the safe storage of any vehicle that is seized. A vehicle shall be temporarily stored at the on call wrecker impound lot. The Criminal Investigations Captain will make long-term arrangements for the storage.

C. Criminal Investigations Captain

1. Upon being notified of a seizure of contraband, the Captain shall review the case to ensure that the seizure complies with Article 59 of the Texas Code of Criminal Procedure. If the seizure does not comply with the Article, the Captain should coordinate the return of the property to the owner.
2. If it is determined that the seizure complies with Article 59, the Captain shall assign a detective to file the case with the district attorney's civil division.
3. If the contraband is monies, the Captain shall direct the property and evidence technician to deposit the monies into the seizure account that is maintained by the Finance Department.
4. If the seizure is not pursued or is declined by the district attorney's office, the Captain shall direct the property and evidence technician to assist in the return of the property or money to the rightful owner.
5. The Captain shall track and maintain documents of all seizures by the department. The Captain will assist in providing statistics to the State regarding seizures.
6. When seizures are awarded and finalized, the Captain must notify the Finance Department to ensure that the award is divided appropriately.

7. Notify the Property and Evidence technicians when property has been awarded. The Captain shall inform the technician what property needs to go to auction and what property will be kept for departmental use.

D. Detective

1. A detective that is assigned to pursue a civil seizure of contraband shall review all paperwork and prepare the necessary reports and affidavits for the case.
2. The detective shall present all seizure paperwork to the prosecuting attorney within ten (10) days of the seizure date. If the paperwork will not be presented to the prosecuting attorney within ten (10) days of the seizure date, the detective must notify the Criminal Investigations Captain and inform them of the delay.
3. The detective shall return a time-stamped copy of the seizure paperwork to the Criminal Investigations Captain.
4. If a detective is notified by an attorney that the case will not proceed, the detective shall immediately notify the Criminal Investigations Captain so the property or money can be returned to its rightful owner.

E. Property and Evidence Technician

1. If a technician receives an item that has been coded "SZ" in the QueTel system, the technician shall notify the Criminal Investigations Captain and seek guidance on how to proceed.
2. Monies shall be deposited into the City's seizure account after being directed to do so by the Criminal Investigations Captain. This may be done by email. The monies shall be turned into the Finance Department within five business days of being notified. The transfer of monies shall be documented in the QueTel system.
3. Maintain all property that has been seized until its final disposition.
4. After being notified that awarded property needs to be auctioned, the technician shall arrange for an auction of all awarded property. This auction should only be for property that has been awarded for a Chapter 59 seizure. This auction should take place in a timely manner. An itemized list of the proceeds from each item should be presented to the Criminal Investigations Captain.

V. Equitable Sharing of Federal Funds

- A. Federal law authorizes the Attorney General to share federally forfeited property with participating local law enforcement agencies. Through equitable sharing, a local law enforcement agency that directly participates in a law enforcement effort that results in a federal forfeiture may either request to put tangible forfeited property into official use or an equitable share of the net proceeds of the forfeiture. The exercise of this authority is discretionary. The Attorney General is not required to share property in any case.
- B. An officer with supervisor approval may request official use or an equitable share of forfeited property by submitting a Form DAG-71 to the appropriate field office of the federal investigative agency with primary responsibility for the law enforcement effort leading to the seizure and subsequent forfeiture.
- C. Equitable sharing payments to the Lewisville Police Department are electronically transferred by the USMS through its E-Share Program. Payment instructions are submitted via the “UFMS Vendor Request Form” (ACH form) to the USMS E-Share helpdesk at E.Share.Help@usdoj.gov.
- D. Each year as required, the Lewisville Police Department submits an Equitable Sharing Agreement and Certification form signed by both the Chief of Police and the head of the governing body having budgetary authority over the law enforcement agency.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.60

SUBJECT: IMPREST FUNDS

**DATE OF ISSUE:
11/30/2015**

POLICY

Imprest funds are necessary to perform special operations, as well as, other criminal investigations. The expenditure of Imprest funds will be closely monitored and follow these guidelines.

I. DEFINITIONS

A. PURCHASE OF SERVICES (P/S)

This category includes travel, transportation and necessary expenses of a non-federal officer or informant, when directly associated with a documented investigation. For covert operations, it includes the lease of an apartment, business front, luxury-type automobile, aircraft, boat or similar items to create an appearance of affluence; or meals, beverages, entertainment and similar expenses, within reasonable limits. Officer meals are not an allowable expense unless the expenditure is directly related to the performance of a covert role (i.e. an officer "entertains" a subject in a restaurant or club to further an investigation.). An officer performing a back-up or surveillance role is prohibited from using Imprest funds to pay for meals.

B. PURCHASE OF EVIDENCE (P/E)

This category is for the purchase of evidence or contraband such as narcotics, dangerous drugs, firearms, stolen property, counterfeit tax stamps, etc., required to determine the existence of a crime or to establish the identity of the participant in a crime.

C. PURCHASE OF SPECIFIC INFORMATION (P/I)

This category includes the payment of monies to an informant for specific information. All other informant expenses are classified under Purchase of Services (P/S) and charged accordingly.

II. PROCEDURE

- A. The section supervisor is accountable and responsible for the issuance of Imprest funds. The section supervisor shall secure all funds in a safe in their office.
- B. The section supervisor will decide the amount of Imprest funds distributed to each officer/investigator.
- C. The Section Supervisor is responsible for reconciling the Imprest funds issued to officers/investigators on a quarterly basis.
- D. Officers/Investigators will document the expenditure of Imprest funds on the Lewisville Police Department Cash Expenditure Report. Officers/investigators are responsible for the funds checked out to them.
- E. The Section Supervisor must approve any expenditure of Imprest funds in an amount of five hundred (\$500.00) dollars or more on a single transaction.
- F. All officers/investigators must have the checked-out Imprest funds “on hand” and available for reconciliation at any time.
- G. All Imprest funds that are issued must be returned to the Section Supervisor within 90 days so that the funds and the safe balance can be reconciled.
- H. The Section Supervisor will document the issue and receipt of funds in the Imprest Funds Ledger.
- I. Officers requiring Imprest funds in the absence of the Section Supervisor will contact the Division Commander.
- J. An audit on Imprest funds and the Imprest Funds Ledger will occur at least every six (6) months. At the time of this audit, no imprest funds shall be issued to officers. The section supervisor shall retrieve all issued funds prior to the audit.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.61

SUBJECT: BODY-WORN CAMERAS

**DATE OF ISSUE:
01/15/2018**

INTENT

The intent of this General Order is to comply with the Texas Occupations Code, Chapter 1701, Subchapter N, Body Worn Camera Program, and provide officers with direction on when and how to use body-worn cameras (BWCs) so that officers may reliably record all contacts of a law enforcement purpose with the public. A BWC means a recording device that is capable of recording or transmitting to be recorded remotely, video or audio and worn on the person of a peace officer, which includes being attached to the officer's clothing or worn as glasses.

It is the intent of Lewisville Police Department that officers shall activate the BWC in the performance of a law enforcement purpose and where recordings are consistent with this General Order and current law. This General Order does not govern the use of surreptitious recording devices used in undercover operations. Further, the Department recognizes that the BWC is a fixed recording device. It will not always capture everything the officer sees and it may sometimes capture evidence that the officer does not see.

DEFINITIONS

Body Worn Camera (BWC) – a bodily worn digital recording system and its components used to record audio/video during police interactions.

Cloud Storage – a model in which data is stored on remote servers accessed from the internet. It is maintained, operated and managed by a cloud storage service provider contracted by the Department.

Digital Media Evidence (DME) – analog or digital media, including, but not limited to, electronic recordings of video, photograph, audio, film, magnetic and optical media, and/or the information contained therein digitally committed to file and of probative value that is stored or transmitted in binary form.

PROCEDURE

I. Administrative

- A. All generated DME will be retained according to Section IV of this procedure. DME shall not be altered, modified, misused, or tampered with.
- B. Any disabling of the BWC system in any manner is prohibited.
- C. Any unauthorized decals, emblems, symbols or other advertisement affixed to the device are prohibited. A label containing identifiable markings, affixed to the rear of the BWC device not visible while worn is authorized.

- D. Standardized viewing privileges of DME for administrative and investigatory purposes shall be as follows:
 - 1. All officers will be able to view their own DME;
 - 2. Detectives will have viewing privileges for all DME; and
 - 3. Other officers may receive special permission by a command-level supervisor when conducting special investigations such as the Hit & Run Investigator, Special Operations detectives, etc.

II. **Digital Media Evidence (DME)**

- A. All DME generated on Department-owned BWC equipment is the property of the Lewisville Police Department. The copying or reproducing of any DME generated by members of the Department for use outside of Department business is prohibited.
- B. Distribution of any DME generated by Department members in any format or for any purpose must comply with this General Order and state law.
- C. All uniformed officers through the rank of captain shall be assigned BWC equipment issued by the Department and properly trained in its functions and procedures before use. Any other personnel who will come into contact with video and audio data obtained from the use of BWCs shall receive training in the BWC program. Officers shall use the issued BWC equipment while wearing any of the uniforms described in General Order 2.2, Uniform and Dress Code, Section II; however, officers wearing covert apparel, the class A uniform or honor guard uniform shall be excluded from wearing the BWC. SWAT operators will wear and activate their BWC during a SWAT operation.
- D. The BWC program shall be reviewed and updated continuously by the Support Bureau as the program moves forward.

III. **Start Up**

- A. At the start of their shift, officers will check BWC functionality. The officer should:
 - 1. Ensure proper alignment and positioning of the BWC on the front of the officer's outer most garment (no object shall be placed in front of the camera in such a manner that it interferes with or obstructs the recording of video); and
 - 2. Power on the BWC and confirm a successful internal function test.

IV. **Recording**

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded; furthermore, officers should not activate/deactivate the BWC solely upon the request of a citizen.
- B. Officers shall create a Call for Service (CFS) and/or case number for any self-initiated video at the time of recording. Officers shall stop recording at the end of each CFS/Case number and start a separate recording for each new CFS/Case number assigned or initiated.
- C. Officers shall use the recording to gather pertinent information for composing reports, training, and investigatory purposes.
- D. Officers shall begin recording the following events and continue recording until the event is concluded:
 - 1. Upon observation of suspicious or criminal behavior;
 - 2. Before exiting the vehicle when responding to a CFS, whether dispatched or not;
 - 3. Officer-initiated contacts;
 - 4. Arrests;
 - 5. Field Contacts;
 - 6. Traffic/Pedestrian Stops; and
 - 7. Vehicle/Foot Pursuits.
- E. When working any uniformed off-duty job, officers issued BWCs shall follow section IV.D.
- F. In those situations where it may be unsafe, impracticable, or unrealistic for the officer to activate their BWC before taking police action, the officer shall activate the BWC as soon as the immediacy of the situation is over in order to record the remainder of the incident. Any justification for failing to activate the BWC because it is unsafe, impracticable or unrealistic is based on whether a reasonable officer under the same or similar circumstances would have made the same decision.
- G. Officers wearing a BWC should be sensitive to the privacy and dignity of persons when recording and may cover the lens if privacy concerns outweigh the legitimate interests of law enforcement. If an officer decides to do so, they should first record the reason for doing so before covering the lens. The officer shall continue to record the audio of the event.
- H. Officers will ensure the dashcam or BWC will record all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as the municipal jail or police department, the officer may cease recording upon entering the facility or transferring custody of the prisoner/witness.
- I. Officers will activate their BWC in instances where the officer reasonably believes that the recording may provide evidence in criminal investigations.
- J. Officers issued a BWC will record when serving search or arrest warrants on the premises of a residence, business or building, including incidents where the officer

is assisting another in such service of search or arrest warrants.

- K. Officers wearing a BWC will record during citizen-initiated contacts or when flagged down for a request for public safety services.
- L. Subsequent arrest, handcuffing and search of violators should take place in view of the BWC camera when practical and in accordance with Departmental procedures.
- M. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the officer's video, report, or CAD call notes in accordance with Section V of this General Order.
- N. Officers shall not stop or mute a recording during a public encounter or assigned CFS, except for the following reasons:
 - 1. Encounters with undercover officers or confidential informants;
 - 2. Personal relief or break, or
 - 3. Officers may mute the audio to discuss a situation when they have stepped away from the person being contacted (citizen or suspect). Officers shall state that they are muting the audio prior to doing so.

All stoppages or mutes, other than stoppages or mutes resulting from administrative functions testing or accidental activation, of the BWC must be verbally documented—stating a specific reason—in the officer's video and a report if one is completed.

- O. When an officer makes the decision to start an investigation, or at the start of the initial CFS, the officer is encouraged to verbally articulate facts or observations that may be noteworthy. This articulation may continue throughout the entire recording.
- P. Officers shall not:
 - 1. Be required to activate their BWC during the entire shift.
 - 2. Intentionally create DME recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
 - 3. Be assigned to a new call before the end of their current call, due to video recording restrictions.
 - 4. Use the BWC for the clandestine recording of the voice or image of a member of the Department unless specifically authorized by the Chief of Police.
 - 5. Knowingly record undercover officers or confidential informants.
 - 6. Use Department-owned BWC equipment to record any type of personal activities.
 - 7. Allow non-sworn personnel to view the DME video without permission from the officer's immediate supervisor. Non-sworn employees who are directly involved in the processing, investigation and/or prosecution of a criminal case related to the DME video or ITS supporting BWC are exempt from this provision.
 - 8. Create recordings in patient care areas of any medical or mental health facilities unless the recording is for official police business such as a

- criminal investigation, dying declaration, or a specific call for police service, in compliance with Federal HIPPA regulations.
9. Record any court facility, legal proceeding (e.g., deposition), governmental meeting (e.g., city council meeting) or secured governmental facility.
 10. Upload or convert DME for use on any type of social media.
- Q. Officers shall notify a supervisor immediately if he/she accidentally records, or is aware of any of the listed incidents:
1. An officer, LPD employee, COL employee, or authorized person in a designated private area (i.e. restroom, locker room), accessible to the officer, shall notify a supervisor immediately of the recording.
 2. An individual in a designated private area (i.e. restroom, locker room) where the video is non-evidentiary.
 3. A personal conversation among officers or other employees where the video is non-evidentiary.
- R. When responding to a call or initiating any activity in which an explosive device, suspected explosive device or hazardous materials environment is present, the officer will, prior to exiting their vehicle, ensure that their in-car system is recording and remove their microphone and/or BWC and leave it in their vehicle.
- S. SWAT team members will activate their BWC on planned events once they leave the Briefing location and are enroute to the objective. Snipers/Observers may stop recording once in position away from the public; however, the Sniper/Observer will start recording again if contact is made with the public. SWAT team members will activate their BWC on unplanned events once they leave the command post and are enroute their assigned position. In all incidents, SWAT team members will stop recording once the scene is secure and released or turned over to detectives.
- T. Uniformed officers and officers assigned to the CoCare Team and to Street Crimes, whether in uniform or wearing external vest carriers, must wear a duty holster that is equipped with Axon's "Signal Sidearm" device. This device wirelessly alerts nearby Axon cameras to begin recording.

V. Authorized Deactivation of BWC Equipment

- A. Unless otherwise permitted by this procedure, once the BWC is activated, it shall remain on until the incident has concluded.
- B. For purposes of this section, an incident has concluded when:
 - 1. All arrests have been made and arrestees have been transported and released from the officer's custody;
 - 2. All witnesses and victims have been interviewed;
 - 3. The continued recording will not serve to obtain additional evidence; or
 - 4. The investigation has been turned over to detectives for further investigation.
- C. All stoppages, other than stoppages resulting from administrative functions testing or accidental activation, of the BWC must be documented in the officer's video, report, or CAD call notes.
- D. Failure to record activities as laid out in this General Order will not be considered a violation if reasonable justification is documented.

VI. Reports/Recording Data Entry

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. Officers shall annotate in their reports the existence or absence of any associated DME.

VII. Equipment

- A. On an individual basis, officers will sign for and be issued a BWC as well as the device's associated accessories. It will be the officer's responsibility to ensure the BWC device is fully charged and operable prior to their tour of duty.
- B. No member assigned BWC equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department-issued BWC equipment shall not be connected to unauthorized computers. Non-Department-issued equipment shall not be connected to any Department-issued BWC device.
- D. Officers assigned BWC equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning BWC equipment and check out a replacement unit. The immediate supervisor will exhaust all efforts to locate a BWC that is not in use to issue on a temporary basis. In the event no replacement unit is available, officers with missing BWC equipment will be assigned to an officer who has a functioning BWC.
- E. Officers shall report lost/damaged BWCs to their immediate supervisor. Damaged BWCs will be returned by the supervisor to the Training Sergeant. Prior to the officer returning to duty, the supervisor shall notify the Training Sergeant to remove the lost/damaged BWC serial number associated with the officer in evidence.com

and replace it with the newly assigned BWC serial number.

- F. Officers promoting or who will be reassigned to duties where they will not be utilizing the BWC will return their BWC to their immediate supervisor. Prior to the officer's new duty assignment, the Training Sergeant shall remove the BWC serial # from evidence.com.
- G. Officers will use only Department-approved BWC equipment, cloud storage, and download stations.

VIII. Video Copies/Records Request

- A. The release of all DME created or generated using a BWC is governed by the *Texas Occupation Code, Chapter 1701, Subchapter N, Body Worn Camera Program and 2.139(6) of the Texas Code of Criminal Procedure*.
- B. Any redaction of a video released will be in accordance with Chapter 1701.661(e)(3) of the Texas Occupations Code.
- C. Requests for DME will be handled under the Open Records Act in accordance with state law and city administrative directives.
- D. A copy (for internal use only, i.e. training or crime bulletin) of DME file may be requested through the property room with approval from a sworn supervisor. If such copy is provided, the file shall not be further copied except by a property and evidence technician.
- E. Detectives may share DME video with other police agencies when done so as part of an active police investigation.
- F. All copies of DME will be produced by a property and evidence technician. A copy is defined as a reproduction of the primary unaltered recording of the event.
- G. Requests for DME for prosecutorial purposes may be submitted directly to a property and evidence technician.
- H. Requests for DME from defense attorneys in municipal, county, district, or federal courts must be made through the appropriate prosecutor.
- I. All other requests for DME should be referred to the office of the Chief of Police.
- J. The cost for producing the DME will be set forth in section 2-201, Fee Schedule, of the Lewisville City Code.
- K. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every DME file produced via BWC to document the authenticity of the DME. Members shall be prepared to justify the reason for accessing/viewing DME.

IX. Complaints Received/Video Review

- A. When a complaint is received alleging misconduct involving an officer who is assigned a BWC, the supervisor shall follow procedures found in General Order 2.14, Complaints and Internal Investigations.
- B. An officer who is the respondent to a citizen or administrative complaint shall have the ability to review any police originated DME and/or any police originated DME audit trail of the incident in question.

- C. The Professional Standards Investigator may, for the purposes of an investigation or complaint, export or copy any police originated DME as needed.
- D. Civilians shall not be allowed to review the recordings at the scene but may be allowed to view recordings as part of following General Order 2.14 if they have filed a complaint against an officer for lack of customer service or misconduct.

X. Video Categorization and Retention

- A. Officers are required to categorize and ID each video that records. Evidentiary videos will go to permanent storage and non-evidentiary videos will be retained for two years. The Property and Evidence team will monitor videos for destruction after all convictions and/or appeals are exhausted.
- B. The Department will manage the storage of BWC video and audio, the creation of backup copies of the BWC video and audio, and maintenance of data security using evidence.com. The Department reserves the right to establish any category it sees fit and adjust the storage parameters on evidence.com provided it remains compliant with state law.
- C. The Department will allow administrators to delete videos accidentally captured on a BWC that do not depict officers acting in an official capacity including but not limited to officers captured in a restroom, locker room, or their residence. Videos of this type will be categorized as accidental and will be deleted by police personnel in the property and evidence unit in the evidence.com software when requested in writing (which includes emails) by a captain in the chain of command of the officer captured on video as long as such deletion is in compliance with state law.

DISCLAIMER

The City of Lewisville Police Department reserves the right to change, modify, amend, revoke, or rescind all or part of this General Order in the future.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.62

SUBJECT: UNMANNED AIRCRAFT SYSTEMS

**DATE OF ISSUE:
03/20/2019**

POLICY

This is the Lewisville Police Department's policy to establish safe, efficient and lawful operations of the department's Unmanned Aircraft System.

PROCEDURE

I. DEFINITIONS

- A. **Unmanned Aircraft System (UAS):** Consists of an unmanned aircraft weighing less than 55lbs, the command system, a secure control link, camera and other related safety support equipment including ground control base stations and specialty vehicles designed to support unmanned flight operations.
- B. **Unmanned Aerial Vehicle (UAV):** Refers specifically to the Unmanned Aerial Vehicle itself. LPD may maintain more than 1 UAV in its fleet.
- C. **UAS Flight Crewmember:** A pilot in Command, Visual Observer, or other persons assigned UAS duties for the purpose of conducting UAS operations.
- D. **Certificate of Authorization (COA):** Issued by the FAA and grants permissions for the department to fly within specific boundaries and parameters.
- E. **Pilot-In-Command (PIC):** Person who has final authority and responsibility for the operation and safety of flight, has been designated as the PIC before or during the flight and holds the appropriate category, class, and type of rating, if applicable for the conduct of the flight. The PIC is solely responsible for the input of commands/piloting during flight operations. Pilots are authorized to evaluate and accept or decline any mission or portion thereof due to safety concerns.
- F. **Visual Observer (VO):** The visual observer is responsible for the operation of the UAS while in-flight. The VO shall maintain visual observation of the UAS while in-flight and alert the UAS Pilot of any concerns (obstructions, terrain, air traffic, weather, etc.) Which may affect the safety of the flight. The VO is responsible for all on scene radio communications between the Incident Commander (IC) or designee and the Pilot-In-Command, in addition to all aviation-related communications required by the FAA. The Observer shall stay in close proximity to the Unmanned Aircraft Systems Pilot to instantly relay information. The observer shall be certified by the department by the successful completion of an approved departmental Visual

Observer training course. The Observer must meet any additional requirements established by the FAA.

- G. **Notice to Airman (NOTAM):** Time-critical aeronautical information is provided to air traffic control towers within a (5) five-mile radius of UAS flight and is of either a temporary nature or not sufficiently known in advance to permit publication on aeronautical charts or in other operational publications and receives immediate dissemination via the National NOTAM system.
- H. **Visual Line of Sight (VLOS):** Visual contact between PIC or VO and a UAS enough to maintain safe operational control of the aircraft, known location, and be able to scan the airspace in which it is operating to see and avoid other aircraft or objects aloft or on the ground.

II. AUTHORIZED USE OF THE UNMANNED AIRCRAFT SYSTEM

- A. Only personnel trained in the use of UAS will use them to protect the lives and property of citizens and first responders in full compliance with all applicable laws and regulations, including but not limited to State and Federal Constitution and Federal Aviation Authority (FAA) regulations. The use of a UAS can support first responders in emergency situations by providing an aerial perspective which will enable first responders to detect dangers that could not otherwise be seen and support incident commanders in making tactical decisions. The UAS may also be utilized for approved training and evaluation missions, pre-emergency planning, public education, disaster pre-planning, and disaster deployments.
- B. A watch commander will authorize the deployment of a UAS. The watch commander will gather the information pertaining to any request and contact the Pilot in Command and notify him/her of the mission with all pertinent information available. The Pilot in Command will determine if the UAS can be deployed safely and practically and may either accept or decline the mission.

III. FLIGHT OPERATIONS

- A. A UAS shall only be operated by personnel, both pilots and crew members, who have been trained and qualified in the operation of the system. LPD personnel with UAS responsibilities including officers shall be provided training in the policies and procedures governing UAS use.
- B. **Pilot in Command (PIC)** reports to the Incident Commander, or his/her

designee, as determined by the Incident Commander. The PIC will accept or decline the mission and has final authority and responsibility for the operation and safety of flight. The PIC will determine the need of a Visual Observer and communicate that information to the Incident Commander any time before or during the mission. UAS pilots are identified on the shift roster.

- C. **Visual Observer (VO)** if assigned, reports to the Pilot in Command and is responsible for radio communications between the PIC and the Incident Commander, or his/her designee as determined by the Incident Commander, when face-to-face communication is not possible.
- D. **Communications** between UAS operations and Incident Commander is best suited for a face-to-face method unless a Visual Observer is assigned. Pilots in Command of a UAV do not have the ability to operate a communications device (portable radio, cellular phone, etc.) unless true hands-free technology is being utilized.
- E. **Identification:** The Pilot in Command, Visual observer, or other persons assigned UAS duties for flight will be identified by the watch commander.
- F. When the UAS is being flown, Unmanned Aircraft System Pilots shall take steps to ensure the camera is focused only on the areas necessary to the mission.
- G. All flights will remain in FCC compliance, GPS reception mode, and comply with FAA flight restrictions near designated airports.
- H. Airport towers within 5 miles of flight will be notified by the PIC, VO or designee. All pertinent information regarding the operation will be provided to the tower. A NOTAM (notice to airmen) will be electronically filed as required by the COA or Part 107 waiver process. At all times the flight will comply with the FAA criteria under the COA or Part 107 waiver.
- I. The administration, safety policy, training requirements, general operating procedures, pre/post flight actions will be maintained in an operations manual.
- J. All flights shall be documented on the appropriate mission log form including flight time. The flight objective, mission type, and name of the supervisor approving the mission should also be identified.
- K. Per the Texas Penal Code, section 9.54, use of force by a UAS is only justified if,

at the time the force is used, the pilot is employed by a law enforcement agency AND the force is justified under another provision in Chapter 9 of the Penal Code. Further, use of deadly force by an autonomous UAS is prohibited.

- L. Authorized missions for the department UAS may include but are not limited to:
1. Situational Awareness – To assist decision makers in understanding the nature, scale or scope of an incident and for planning/coordinating an effective response.
 2. Search and Rescue – To assist missing person investigations involving an Endangered Missing person or Child.
 3. Tactical Deployment – To support the SWAT Team in the safe, tactical deployment of officers and equipment in emergency/critical incidents.
 4. Visual Perspective – To provide an aerial perspective to assist supervisors and officers with directing crowd control, traffic, special circumstances, and temporary perimeter security.
 5. Scene Documentation – To document a crime scene, crash scene or other major incident scene.
 6. Fire Department Assistance – To assist the Lewisville Fire Department with the tactical deployment of firefighters and firefighting apparatus, Situational Awareness, Search and Rescue, Visual Perspective or Scene Documentation.
 7. Other jurisdiction Assistance – To assist other fire departments and law enforcement agencies with the tactical deployment of firefighters and firefighting apparatus, Situational Awareness, Search and Rescue, Tactical Deployment, Visual Perspective or Scene Documentation as allowed by the COA and approved by the Administrative Duty Officer.

IV. NIGHT TIME UNMANNED AIRCRAFT SYSTEM MISSIONS

- A. Night operations will be considered if the UAV PIC provides a safety case and can sufficiently mitigation hazards at night. This will include a plan

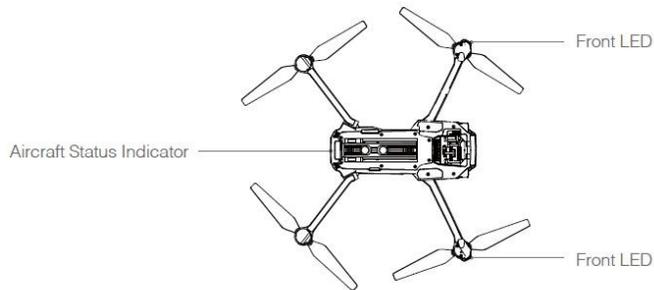
to stay below 200' AGL and above the highest known obstacle in the flight area. If the PIC cannot confirm hazards in the flight area night operations will not be authorized.

- B. UAS night operations are those operations that occur between the end of evening civil twilight and the beginning of morning civil twilight, as published in the American Air Almanac, converted to local time. (This is equal to approximately 30 minutes after sunset until 30 minutes before sunrise) External pilots and observers must ensure dark adaptation.
- C. Before Night Operations:
 - 1. The PIC must conduct three takeoffs (launch) and three landings (recovery) each, in the specific UAS at night, to a full stop in the previous 90 days.
 - 2. Observer Requirement. A VO must be positioned to assist the PIC to exercise the see-and-avoid responsibilities required by scanning the area around the aircraft for potentially conflicting traffic and assisting the PIC with navigational awareness.
 - 3. VOs must:
 - a. Assist the PIC in not allowing the aircraft to operate beyond the Visual Line of Sight (VLOS) limit.
 - b. Be able to see the aircraft and the surrounding airspace sufficiently to assist the PIC with:
 - i. Determining the unmanned aircraft's (UA) proximity to all aviation activities and other hazards (e.g., terrain, weather, and structures);
 - ii. Exercising effective control of the UAV;
 - iii. Preventing the UAV from creating a collision hazard.
 - 4. Inform the PIC before losing sufficient visual contact with the UAV or previously sighted collision hazard. This distance is predicated on the observer's normal vision (with corrective lenses, spectacles or contact lenses)

NAV LIGHTS – DJI Mavic Pro- Manufacture Specifications and factory installed light indicators

Flight Status Indicator

The Mavic Pro has Front LEDs and Aircraft Status Indicator. The positions of these LEDs are shown in the figure below:

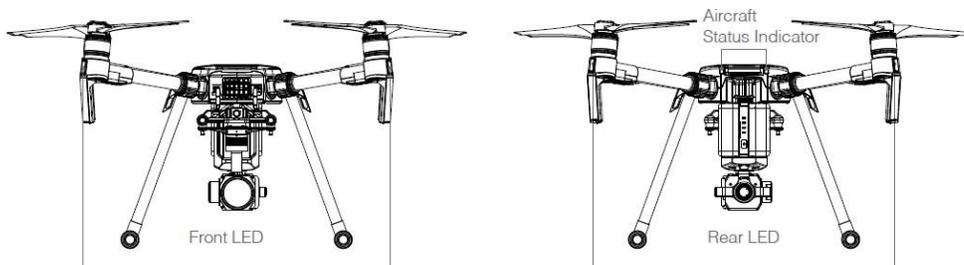


The Front LEDs show the orientation of the aircraft. The Front LEDs glow solid red when the aircraft is turned on to indicate the front (or nose) of the aircraft (the Front LED can be turned off in the DJI GO 4 app). The Aircraft Status Indicator communicates the system status of the flight controller. Refer to the table below for more information about the Aircraft Status Indicator.

NAV LIGHTS – DJI Matrice 210 – Manufacturer Specifications and factory installed indicators

Flight Status Indicator

The aircraft features Front LEDs, a Rear LED, and Aircraft Status Indicators. The positions of these LEDs are shown in the figure below:



The Front LEDs show the orientation of the aircraft. Front LEDs glow solid red when the aircraft is turned on to indicate the front (or nose) of the aircraft. Front and rear LEDs can be turned off in the DJI GO 4 app. The Aircraft Status Indicators communicate the system status of the flight controller. Refer to the table below for more information about the Aircraft Status Indicators.

ADDITIONAL NIGHT OPERATIONS SAFETY information for visibility

One ACS-30 Anti-Collision Light is installed on the aircraft for Night-Time Operations, visible from all directions. Picture shown below shows the placement of the anti-collision strobe on the top of the aircraft.



ACS-30 Anti Collision Strobe – Specifications

- Three modes: Strobe, Flash, and a Fixed (solid) mode.
- FAA 107.29 compliant for night flights
- The CREE bulbs give it clear visibility well more than the FAA 107 requirement for night flights (3 SM Miles) and help in maintain Line of sight (LOS) while in flight for the pilot.
- 250 mhr battery rechargeable battery for longer run times and comes in a complete set with all you need to mount and fly.
- Fully self-contained rechargeable ARC requires no external or tapping into your drone's battery
- Battery lasts 6 hours on a single charge,
- Provides needed navigation light per FAA for dusk/dawn or night flights and provides visual orientation.
- The unit weighs 22g, measures 2 x 1.5 x 5/8 inches.

V. LOST LINK PROCEDURES

- A. **Safe landing Areas** -- Before take-off the Pilot in Command (PIC) and the observer will review the immediate area and use all information available to determine designated "safe zones" for an emergency landing if needed. These areas are agreed upon, and any other ground crew members involved with the mission will be briefed on the location and circumstances for which they will be used.
- B. **Poor Data-link Signal Strength** -- A 2.4 - 2.483 GHz data-link for a ground control station. The operations will be limited to visual line of sight to not only ensure connectivity but aircraft safety. This un-aided sight distance is typically between 0.5-1 Mile depending on visibility. In the event of weak signal strength, the operator will re-task, or manually control the sUAS to fly in the direction of the operator to regain signal strength. In "return to home" the aircraft will return to the pre-designated home point if proper signal strength cannot be maintained. If the issue is persistent enough to affect the "return to home" operation, the PIC will manually land the sUAS at one of the pre-designated safe landing areas.
- C. **Low battery Indication** -- As part of the preflight sequence, the battery level is checked to ensure a full charge. The sUAS will not be allowed to fly a mission without a full charge at takeoff. In the event of a low battery charge, the aircraft will send an alert to the controller software. The PIC will issue an order to have the aircraft return to the take-off location and land before the battery is depleted. In the event of a depleted battery during flight, the operator will re-task, or manually control of the sUAS to fly in the direction of the operator to "return to home" or return to a safe landing area.
- D. **Aircraft lost data link procedures** -- Routinely, the operator should be able to avoid a lost-link situation, either with communication from GPS satellites or communication to the base station, by monitoring signal strength and taking corrective action prior to a loss of link. However, should lost link occur, one of three actions can be taken to avoid any adverse incident:
 - 1. If the aircraft continues to have GPS link but loses data communication with either or both the ground station and the remote control, the aircraft will return to the home point (or other pre-designation landing area) and initiate an "auto-landing" after completing its pre-programmed mission.

2. If the aircraft loses communication to the GPS satellites, the PIC will manually pilot the UAS either to its landing point or to a pre-designated safe landing area. A landing order can be given at any time it reaches a designated landing area where the aircraft will perform an autoland sequence.
 3. If the aircraft loses all communication from the GPS satellites, ground station and remote control it will perform an autoland sequence at its current location.
- E. As an added measure of security, a security zone is defined at 1.0 mile from the base station for a maximum allowable distance the sUAS can travel before automatically returning to the takeoff or home point. If this zone is violated the control station will trigger an alarm through the software to notify the PIC. This security zone limits the operations using the onboard computer and GPS.
- F. In the event of an emergency landing in a safe zone, the PIC will communicate the situation to the ground crew and point out any hazards to personnel. If visual contact is lost with the lost- link aircraft, the PIC will note the approximate altitude and direction of travel of the aircraft. This information will be communicated as soon as possible to any air traffic control facility that may be controlling aircraft that may be affected by the lost-link aircraft.

VI. LOST COMMUNICATIONS

- A. A Security zone will be placed for each flight that limits the operation of the sUAS. This security zone limits the operations using the onboard computer without the need for a link to the ground control station. In the event the sUAS violates the security zone the sUAS will initiate the return to home function.
- B. Before flying PIC will have radio frequencies and phone numbers for any applicable ACT facilities available. If there is an ATC facility in the area of the flight the Pilot in Command (PIC) will contact that facility prior to launch and maintain radio, contact with the facility until flying is complete.
- C. In the event of communications loss with the aircraft, PIC will contact the applicable ATC facility by cell phone. If flying in an area that communications are required and communications are lost, the flight will be terminated. When communications are re-established, if there is no other problem, PIC and ATC will decide if flying can continue.
- D. The Pilot in Command and the Visual Observer (VO) will maintain direct

communication on a routine basis while flight operations are conducted. However, if the PIC and VO are not co-located where verbal communication is not possible, the following communication tools may be utilized.

- Portable 800mHZ Emergency Operations Radio System
 - Portable VHF Emergency Operations Radio System
 - Voice Actuated Headsets
 - Cellular Phone
 - Hand Signals
- E. Redundant communication: Operators and Visual observers will always maintain the ability to communicate with two different communication medians. An example of this would be both the Emergency Operations Radio system with the backup of cellular phones.
- F. In the unlikely event communication is lost and cannot be re-established the UA will immediately land.

VII. EMERGENCY PROCEDURES

- A. Before all flight operations, the area of operations will be surveyed and safe emergency landing zones identified. All personnel will be briefed on emergency procedures including, but not limited to: Location and use of first aid kit and fire extinguisher; location of vehicles that may be used to follow the aircraft in a lost link/failed auto-land situation; location and use of modes of emergency communication; location of vehicles that may be used to transport injured personnel; and location of the nearest hospital.
- B. In the event of an emergency, the emergency will be broadcast by the PIC to all involved ground personnel via direct voice or two-way radio communications. The broadcast will indicate the nature of the emergency, any immediate action plans/directives and /or request for resources.
- C. All personnel involved with the mission will have ready access to a mode of communication which can quickly summon emergency services should they be needed. Acceptable forms of communication include telephone landline, cellular phone, satellite phone, VHF Radio, two way radio and 800mHZ radio systems.
- D. As all flight operations, will be conducted by City of Lewisville Police

Department Personnel, the full resources of the City of Lewisville Police Department and/or other participating agencies are available in response to any emergency that may arise.

- E. The number one priority in all sUAS operations is the safety of persons and property. When the safety of people or property is compromised by the operation of the aircraft, the operation will be immediately terminated. No further flights will be conducted until the potential hazard to people or property can be sufficiently mitigated.
- F. A first aid kit and fire extinguisher (A/B/C rated minimum 2.5 lb. capacity) will be present during all flight operations.
- G. A Security zone will be placed for each flight that limits the operation of the sUAS. In the event the sUAS violates the security zone the sUAS will initiate an autonomous landing.
- H. In the highly unlikely event that the links are lost between the ground station, remote control, GPS communication and the auto-land system fails, the visual observer (VO) will utilize a readily available vehicle and maintain visual contact with the aircraft until it depletes battery life. If it appears the aircraft will approach within 5 NM of an airport, the VO will notify the Pilot in command and communicate with the tower facility, or broadcast a warning on CTAF as appropriate, advising the direction of travel and altitude of the aircraft.
- I. In the worst possible scenario, complete control is a loss of the UAS, and an airport could potentially be affected, the PIC or VO will immediately contact the aircraft control for that airport and report the telemetry and potential flight time is remaining to mitigate any potential hazards.
- J. The nature of the emergency will subsequently be communicated to local law enforcement and per the request of the Federal Aviation Administration, will be reported to the nearest field office. A detailed report of the incident, to include photos if available, will be completed as soon as reasonably possible and forwarded to the City of Lewisville Police Department for review and dissemination to appropriate parties.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.63

SUBJECT: "WRAP" RESTRAINT SYSTEM

**DATE OF ISSUE:
3/20/2019**

POLICY

The Wrap provides a safe and quick method of controlling and immobilizing a violent or potentially violent/combatative subject who has been taken into custody. This order is intended to familiarize Department personnel with the Wrap and procedural guidelines for its use. The Wrap, manufactured by Safe Restraints, Inc., was designed as a temporary restraining device. Used properly it can increase officer safety and reduce the risk of liability due to injuries and in-custody deaths. The Wrap immobilizes the body and restricts a subject's ability to kick or do harm to oneself and others. The Wrap minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transport or movement.

PROCEDURE

I. Field Use

The Wrap can be used before or after a violent or potentially violent/combatative subject is controlled using approved departmental methods. Like any restraint device, do not assume the Wrap is escape-proof. Once applied, **THE SUBJECT SHOULD NOT BE LEFT UNATTENDED**. The Wrap should be considered for use under the following situations:

- A. Whenever you anticipate possible violent/combatative behavior.
- B. To immobilize a violent/combatative subject.
- C. To limit violent/combatative subjects from causing injury to themselves or others.
- D. To prevent violent/combatative subjects from causing property damage by kicking.
- E. To restrain subjects after a chemical spray or stunning device is used.
- F. When conventional methods of restraint are not effective.
- G. In the transportation of violent/combatative subjects.

H. To assist with cell extraction of violent/combative subjects.

Once the subject is properly restrained in the Wrap, they can be placed on their side or in a sitting position. This will increase the oxygen recovery rate and reduce the incidence of respiratory fatigue or positional asphyxia often caused by a subject being restrained in the prone position.

II. Application

The Wrap can be applied by one person if the subject is passive, but for violent/combative subjects, three or more people should be used. Only qualified personnel who have received training in the use of the Wrap should use this restraining device. Refer to the training manual for application guidelines.

III. Transportation

Movement of the subject can be accomplished in two ways depending on their cooperation. The subject can either be carried or allowed to stand and shuffle step to the destination.

To carry the subject, it is recommended that between 2 to 4 personnel be used depending on the size and weight of the subject. Lift the subject by the arms and the ankles. A “log lift” carrying technique may be used when moving the subject. Proper lifting techniques should be followed to prevent unnecessary injury.

As an option to lifting, the subject may be moved using a shuffle. If the subject has calmed down and is cooperative, the lower Wrap leg band can be loosened to allow some leg movement below the knees without compromising security or safety concerns. By loosening the tether to the shoulder harness, the subject can be brought to a standing position with the help of officers and then allowed to shuffle to or from a vehicle or holding cell. If this method is used, appropriate support must be given to the subject to prevent possible injury.

Before vehicle transportation, re-check all belts to ensure that they are securely fastened. The use of a seat belt is recommended to limit movement and reduce the risk of injury to the subject. Whenever possible, one person should ride as an observer with the subject to ensure all straps remain tight and the subject has no medical problems. Re-checking the

security of the Wrap and keeping the subject under constant observation should apply to any movement of the subject.

IV. Jail Use

Violent or potentially violent/combatative subjects may remain or be placed in the Wrap in the jail. The Wrap Cart may be utilized to ensure the subject is positioned correctly and place in a location and manner where staff may observe the subject.

V. Precautions

- A. The shoulder harness should never be tightened to the point that it interferes with the subject's ability to breathe.
- B. The leg bands and shoulder harness must be checked frequently for tightness and retightened or loosened as necessary until the Wrap is removed.
- C. If the restrained subject complains of or shows signs of breathing distress (shortness of breath, sudden calmness, a change in facial color, etc.), medical attention should be provided immediately.
- D. THE SUBJECT SHOULD NEVER BE LEFT UNATTENDED.
- E. Subjects should be placed in an upright sitting position or on their side as soon as possible to allow for respiratory recovery.
- F. The Wrap is a temporary restraining device and is not escape-proof.
- G. The Wrap is to be used by "trained personnel only".

VI. Training

Only qualified personnel who have completed the Departments' training in the use of the Wrap should use this restraining device.

VII. Care and Maintenance

The Wrap should be inspected after each use for signs of wear or damage. If any damage is discovered, forward the Wrap to appropriate personnel for repair or replacement. If cleaning is necessary after use, use a mild soapy solution or disinfectant approved for use on vinyl and nylon materials. If blood is absorbed into any part of the Wrap that part should be replaced. Thoroughly rinse all disinfectant from the unit before drying. After cleaning the Wrap, allow it to thoroughly air dry before being returned to its carrying bag.

VIII. Storage and Preparation for Re-Use

It is important that the Wrap is immediately ready for use and prepared for storage in a way that prevents the loop fastening material on the bands from becoming dirty or entangled. This allows the Wrap to be quickly laid out next to the subject and applied without the confusion of having to untangle the bands. To properly prepare the Wrap for storage in the carrying bag;

- A. Lay the Wrap on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.
 2. Individually fold each of the leg bands back onto itself so that the fold of the band protrudes an inch or two from the edge of the Wrap body.
 3. Be sure the retaining "D" ring on the body of the Wrap and harness is open and ready for use.
 4. Keeping the bands inside, roll the Wrap tightly towards the buckle and secure with the ankle strap and place in carrying bag.
 5. Fully extend the harness buckles and tether. Attach buckles to its counterpart and roll the harness up and place it in the carrying bag compartment.

Remember, like all tools of the trade, training is essential and the Wrap must be kept in good condition. It is also critical to have the Wrap available for use when needed to minimize the time the subject is restrained in a prone position.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.64

SUBJECT: NALOXONE

**DATE OF ISSUE:
2/7/2020**

POLICY

The Lewisville Police Department has established a Naloxone program to treat and reduce serious injuries or fatalities resulting from opioid/opiate overdoses. The Lewisville Police Department will provide its officers access to Naloxone (also known as Narcan) in the form of a nasal spray for the purpose of treating another officer who may inadvertently be exposed to opioids, or to any person they may encounter suffering from a possible opioid drug overdose or exposure.

DEFINITIONS

- A. **Narcan:** A brand name of Naloxone, a medication used to block the effects of opioids, especially in overdose.
- B. **Opioids:** Opium like compounds that bind to opioid receptors of the body.
Examples of opioids include but are not limited to: hydrocodone, oxycodone, morphine, codeine, heroin, and fentanyl.

PROCEDURE

- A. When responding to or discovering a possible overdose, officers should contact dispatch and request or ensure emergency medical personnel are dispatched as soon as possible.
- B. When an officer responds to the scene of a possible overdose involving another officer or citizen, prior to emergency medical personnel arrival, the officer should:
 - 1. First ensure their safety and the safety of the scene,
 - 2. Determine if the victim is exhibiting signs of an opioid overdose, or if evidence suggests a possible overdose. Signs/evidence of an opioid overdose include, but are not limited to:
 - a. Pale or blue face

Revised:

- b. Breathing slow or stopped
 - c. Heartbeat slow or stopped
 - d. Gurgling noises
 - e. Vomiting
 - f. Unable to awake or speak
 - g. Pinpoint pupils
 - h. Presence of drugs and/or drug paraphernalia
 - i. Witnesses statements
3. The officer should administer Naloxone if the officer believes the victim:
- a. Has overdosed on opioids;
 - b. Has overdosed on opioids in combination with other drugs;
 - c. Is unresponsive from apparent drug use but uncertain if opioids were involved; or
 - d. Appears to have symptoms consistent with opioid exposure.
- C. Naloxone will be administered into the nostrils of the victim via an atomizer attached to the Naloxone vial. Naloxone dosages should be administered in 4.0 mg increments.
- D. An initial dose of 4.0 mg will be given to the victim in one nostril. If the victim does not show a positive response within 3 to 5 minutes, an additional dose of 4.0 mg should be administered into the other nostril.
- E. The maximum dose for each nostril is 4.0 mg.
- F. If the victim is not breathing and has no pulse, the officer should start CPR.
- G. If the victim is breathing, or starts to breathe, the officer should place them in a recovery position.
- H. The officer should remain with and monitor the victim until medical

personnel arrive and assume responsibility for the victim.

- I. The officer should notify medical personnel of any observations and actions taken prior to their arrival, including the number of doses administered and the approximate time each dose was given.

II. SAFETY

- A. When interacting with any overdose victim, officers should exercise universal precautions, utilizing PPE (personal protective equipment), ensuring the victim is in a safe location, and removing any potential weapons or dangerous items from within the victim's reach. Officers should remain alert when interacting with an overdose victim in the event the victim becomes combative and/or violent.
- B. After a Naloxone kit has been used, it should be disposed of in a designated bio- hazard container.

**LEWISVILLE POLICE DEPARTMENT
GENERAL ORDER**

NUMBER: 4.65

SUBJECT: MOBILE FIELD FORCE

**DATE OF ISSUE
1/11/2021**

POLICY

The Mobile Field Force (MFF) is made up of sworn officers who have training in handling civil disturbances, public demonstrations, and riots. The overall goal in managing such an event is to protect lives, property, and restore peace.

PROCEDURE

I. ORGANIZATION

- A. The MFF will be composed of sworn officers approved of by the Chief of Police.
- B. The Chief will appoint a Captain to oversee the team.

II. TRAINING

- A. Officers must complete the basic MFF course before becoming an active member of the team.
- B. The team should train a minimum of four times a year to remain prepared.

III. ACTIVATION

- A. The MFF team may be activated by a supervisor of the rank of Captain or higher.
- B. Officers in riot gear will only be deployed to a location when there is an indication that violence or property damage may occur.

IV. CROWD DISPERSAL

- A. When the decision is made that a crowd has become unruly and/or is committing law violations, the MFF may begin action.

- B. Prior to MFF action a dispersal order must be given via an amplifying device. The crowd should be given ample time to begin dispersal.
- C. If gas is to be deployed, the dispersal order should specifically include that gas will be deployed and a timeframe for the deployment (i.e., in 10 minutes). Officers shall not deploy tear gas on protestors/demonstrators without the approval of the Chief of Police or his designee.
- D. If there is extreme property damage or violence occurring to citizens or officers that the delay in MFF action or gas deployment would allow for more injury or damage, action can be taken without a warning.