

Fort Bend County Sheriff's Department
Identification Division

Preface

This manual was written in an attempt to standardize the operations and procedures of the Identification Division of the Fort Bend County Sheriff's Department, Support Services.

With the understanding that not every situation is exactly the same, nor can it be solved exactly the same way every time, an attempt has been made to cover as many of the job tasks taken on by the Identification Division as possible. These suggested procedures are not set in stone and are open to change as new techniques are proven in the fields that we work.

In no way should this material be misconstrued in its content or meaning to be in direct conflict with or supersedence of any of the policies or regulations of the Sheriff's Department Employee Rules Manual issued by this department.

Should you have any questions or suggestions in regard to this manual and its material, make them known to the division supervisor for classification.

Sergeant Larry L. Spillers
Identification Supervisor
Fort Bend County Sheriff's Department

Fort Bend County Sheriff's Department
Identification Division

Standard Operating Procedures Manual

Job Description

I. PURPOSE AND SCOPE

- A. To provide a standardized, uniform response to crime scenes for the purpose of collecting evidence.
- B. To provide a standardized, uniform method of conducting required job tasks within the division.

II. RESPONSIBILITIES

- A. To respond to crime scenes as determined by the supervisor on call or the immediate supervisor on the scene of such crime scenes.
- B. To systematically collect, record, process and preserve physical evidence at such crime scenes by the use of photography, measurement, and induction of evidence into the departments evidence storage facility.
- C. To be in care, custody and control of the departments evidence storage facility including the induction and release of said property, and the destruction of property properly ordered by a court order.
- D. To process any physical evidence in the departments care, custody and control, for the presence of latent or patent impressions.

- (E) To photograph any latent prints developed off any physical evidence, that are of value for the Afis System.
- F. To classify the photograph of a latent print that is to be placed onto the Afis System.
- G. To maintain, file of the submission forms that relate to all latents put into the Afis System. With follow-up month to month on major latent cases on the Afis System.
- (H) To operate and maintain a photographic laboratory for the purpose of developing photographs of crime scenes, department functions and filing "mug" photos.

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- I. To transport collected narcotics to the Department of Public Safety, laboratory located in the Region 2 Headquarters of the Department of Public Safety, Houston, Texas, for the purpose of laboratory confirmation of a suspected substance.
- J. To assist the departments Detective Division in the investigation of crime scenes and suspects by the comparison of inked rolled impressions to latent or patent impressions obtained through the processing of evidence in a case.
- K. Any other duties assigned by the division supervisor.

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Job Summary:

Identification/classification of prisoners prints, probationers, sexual offenders and applicants through the procedures of fingerprinting, palm printing, and photography.

Collection of criminal history record information and the proper dissemination of the same.

Receipt and release of property and evidence.

Testimony in court relating to matters pertaining to crime scene investigations and the identification of persons.

The investigation of major crime scenes, whether they be crimes against persons or crimes against property, for the purpose of collecting valuable evidence and property in the investigation.

The processing of collected evidence through the means of photography, chemical enhancements, powders, or laser technology for the purpose of obtaining latent impressions for comparison capability.

Job Duties:

Search files for information relating to the identification of persons

Fingerprint prisoners, probationers, sexual offenders, and applicants

Classification, searching, and filing of fingerprint and palm print cards

Photography: [] video, and digital, of prisoners, crime scenes, and assist Detectives with video and photographs of physical line-ups

Receipt and release of items of property and evidence

Dissemination of information in accordance with CHRI federal regulations

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In-service training in the processing of evidence for latent or patent prints, and the comparison of latent prints to known prints

In-service training relating to crime scene investigations

Attendance of specialized schools:

1. Basic Fingerprint (DPS, FBI)
2. Advanced Fingerprint (DPS, FBI)
3. Administrative Advance Latents (FBI)
4. Latent and Document Photography (FBI)
5. Crime Scene Search and Seizure
6. Homicide Investigation
7. Computer Ident-kit style system
8. Skeletal Death Recover (Above-Below Ground)
9. Blood Spatter
10. Basic Dead Man
11. Any other Forensic classes that become available such as American Institute of Applied Science (Home Course)



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Crime Scene Investigations
Guidelines

I. Duties of the Reporting Deputy:

- a. Secure the crime scene.
- b. Request a supervisor for the determination of whether the ID Unit should be requested to the scene.
- c. Obtain information for and provide the initial
- d. Turn the crime scene over to the responding ID Unit Investigator or Investigator Team.
- e. Record and report list of personnel on the scene including witnesses.

II. Duties of the ID Unit:

A. Primary duties

1. Obtain all pertinent facts from the reporting deputy.
2. Record the crime scene (photography, video, measurements for crime scene sketch).
3. Secure evidence from contamination.
4. Systematically collect evidence
5. Process evidence collected (photo-developing, latent prints, casts, etc.).
6. Provide packaging for submission of evidence for other agency forensic study. (DPS, FBI).
7. Secure all evidence in evidence storage facility.
8. Maintain chain of evidence, custody log.
9. Provide for evidence removal and collection and laboratory specimens for the M.E. Office

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Identification Unit

A. General Policy

The purpose of the Identification Unit is to provide a specialized responding unit or team to investigate a major case scene. The responding unit/team will work with both the detective and patrol divisions in the investigation of a major crime scene and insure that the crime scenes integrity is maintained as well as the proper collection and storage of physical evidence.

B. Major Case Classification

The Identification Unit will respond to the following crime scenes as directed by the division supervisor:

1. Homicide
2. Suicide- if questionable circumstances exist
3. Unattended Death- if questionable circumstances exist
4. Aggravated Assault
5. Aggravated Sexual Assault
6. Injury to a child
7. Aggravated Sexual Assault of a child
8. Aggravated Robbery to a individual or a business
9. Burglary of a residence or a business
10. Narcotics search warrants
11. Narcotics operations when requested
12. Evidenciary search warrants when requested
13. Any other assignment by the division supervisor

C. Protection of the Crime Scene

The protection of the Crime Scene is EXTREMELY important to the apprehension and prosecution of the individuals committing the crime. All of the deputies on the scene are required to take necessary steps to insure the protection of the scene and the preservation of all of the evidence located therein.

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1. Initial deputy on the scene:

- a. The initial deputy on the scene of a major crime has multiple responsibilities, many of great importance. In approaching and arriving at a major crime scene the initial reporting deputy should:
 1. Be aware of specific dangers to his own safety and take necessary steps to protect his/herself. The deputy should advise the dispatcher of any obvious requirements for additional equipment as soon as possible.
 2. Provide emergency medical care of any injured or ill persons on the scene.
 3. Apprehend any suspects who may still be on the scene.
 4. Notify the dispatcher of any information which may assist in the early apprehension of the suspect.
 5. Take necessary steps to insure that there are no additional victims with injuries or other persons on the scene who may disturb the scene.
- b. In protecting the Crime Scene, the deputy should not allow any individuals to leave the scene without first establishing reliable identification. The deputy should take up a position at the scene where it is possible to maintain observation of the crime scenes entrances and exits. At no time should the deputy allow any new individuals to the immediate crime scene area unless they are support personnel from either the patrol or detective divisions.
- c. The deputy shall be responsible for seeing that the individuals entering or leaving the scene will be entered in the on scene log sheet indicating name, time in/out and purpose of being on the scene.
- d. The initial deputy at the scene shall be responsible to see that once the scene is secured, noone, except authorized personnel of the department, are allowed in the crime scene regardless of rank or department unless specifically requested to do so by the investigating unit on the scene.

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Suggested Report Outline for Crime Scene Report

I. Introduction

- a. Deputy and Unit Number
- b. Time call received and time arrived
- c. Immediate finding at scene
 1. Scene secured by whom?
 2. Type of offense and scene.
 3. Complainant at scene.
 4. Suspect at scene, in custody etc.

II. Scene Summary

- a. Description of scene
 1. Describe area of scene
 2. Exit and entry
 3. Signs of struggle
 - a. disorder or lack of disorder
- b. Position of body
 1. Position and condition
 2. Dress
 3. Wounds or apparent visible wounds

III. Investigator functions at scene

- a. Lighting
 1. Additional lighting etc.
- b. Photography
 1. Type of camera and film
 2. List of each photograph taken is optional
 3. Diagram if any
- c. Evidence
 1. Describe fully (measurements, size, location)
 2. Designate disposition of evidence

IV. Follow Up investigations (supplements for morgue etc.)

- a. Condition of complainant
 1. Dressed or undressed
 2. Brief description of condition
- b. Charts of wounds
 1. Include measurements
 2. Type of wound

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- c. Photos of wounds
 - 1. Type of camera
 - ② Disposition of
- d. Additional Tests
 - ① E
 - ② Atomic Absorption
 - 3. Gun powder particle residue
 - 4. Removed evidence from body
- e. Finger prints from body at morgue.

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Processing Crime Scenes

Part I

Recording the Crime Scene.

I. Procedures for Recording the Crime Scene.

A. Deputy's Supplement Report

1. Introduction

- a. Date and time of assignment
- b. By whom and how was assignment received
- c. Exact time of arrival on scene
- d. Exact location of scene
- e. Light and weather conditions
- f. Name of reporting officer
- g. Names of other persons on the scene

2. Detailed description of the victim including clothing.

- a. Name
- b. Date of Birth
- c. Height
- d. Weight
- e. Hair color
- f. Eye color
- g. Drivers License Number and State
- h. Social Security number
- i. Pants, color/type, waist and length
- j. Shirts, color/type, size
- k. Shoes, color/type, size
- l. Jewelry
- m. Other physical descriptors

3. Wounds the victim has received

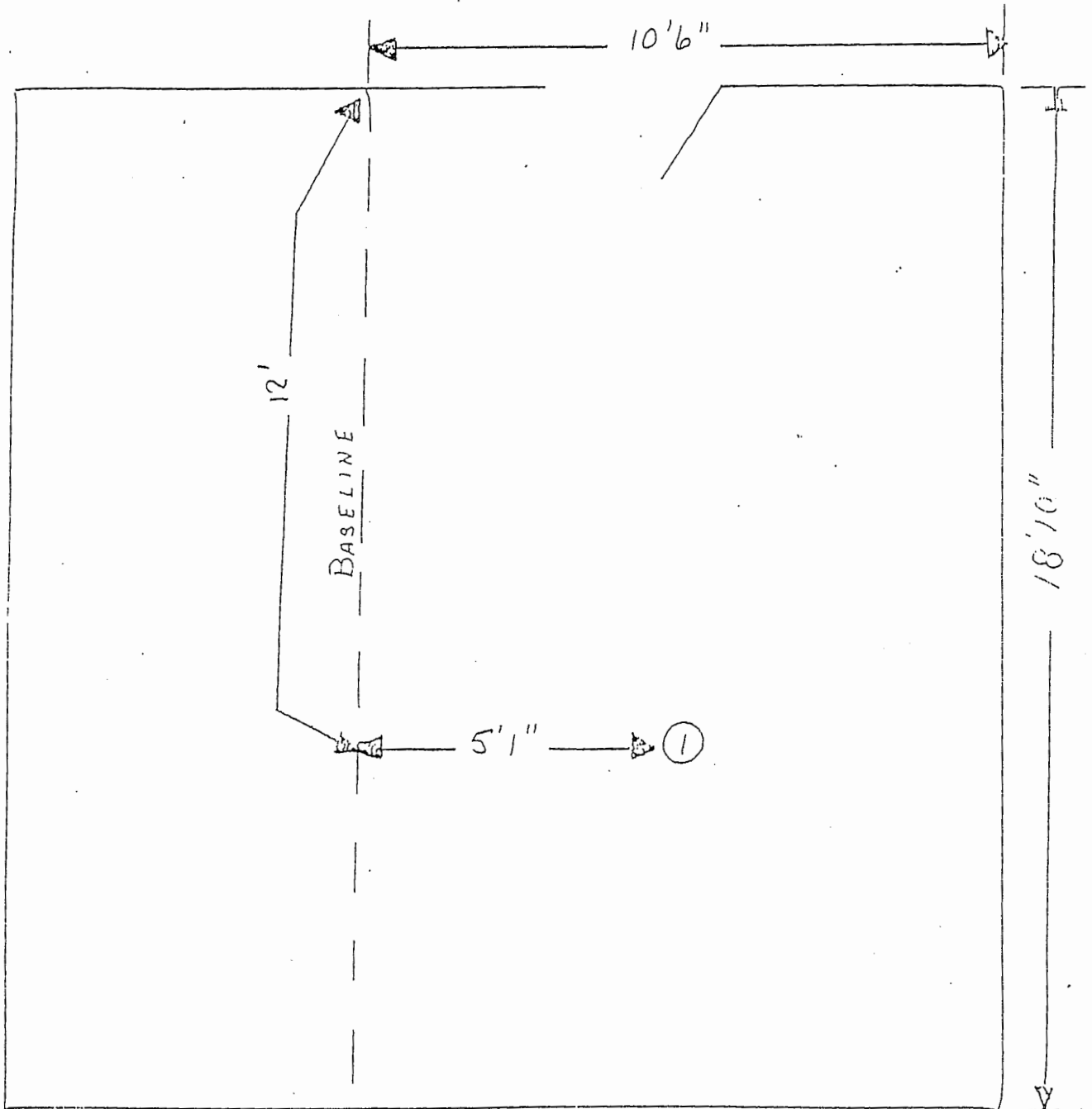
- a. Exact location of wound
- b. Type and size of wound
- c. Color of bruises if visible
- d. Other information if available

4. General description of the crime scene.

- a. Damage to any items
- b. Any disturbance of normal arrangements
- c. Presence of unusual objects
- d. Other

5. The discovery of each significant item of evidence

COORDINATE METHOD



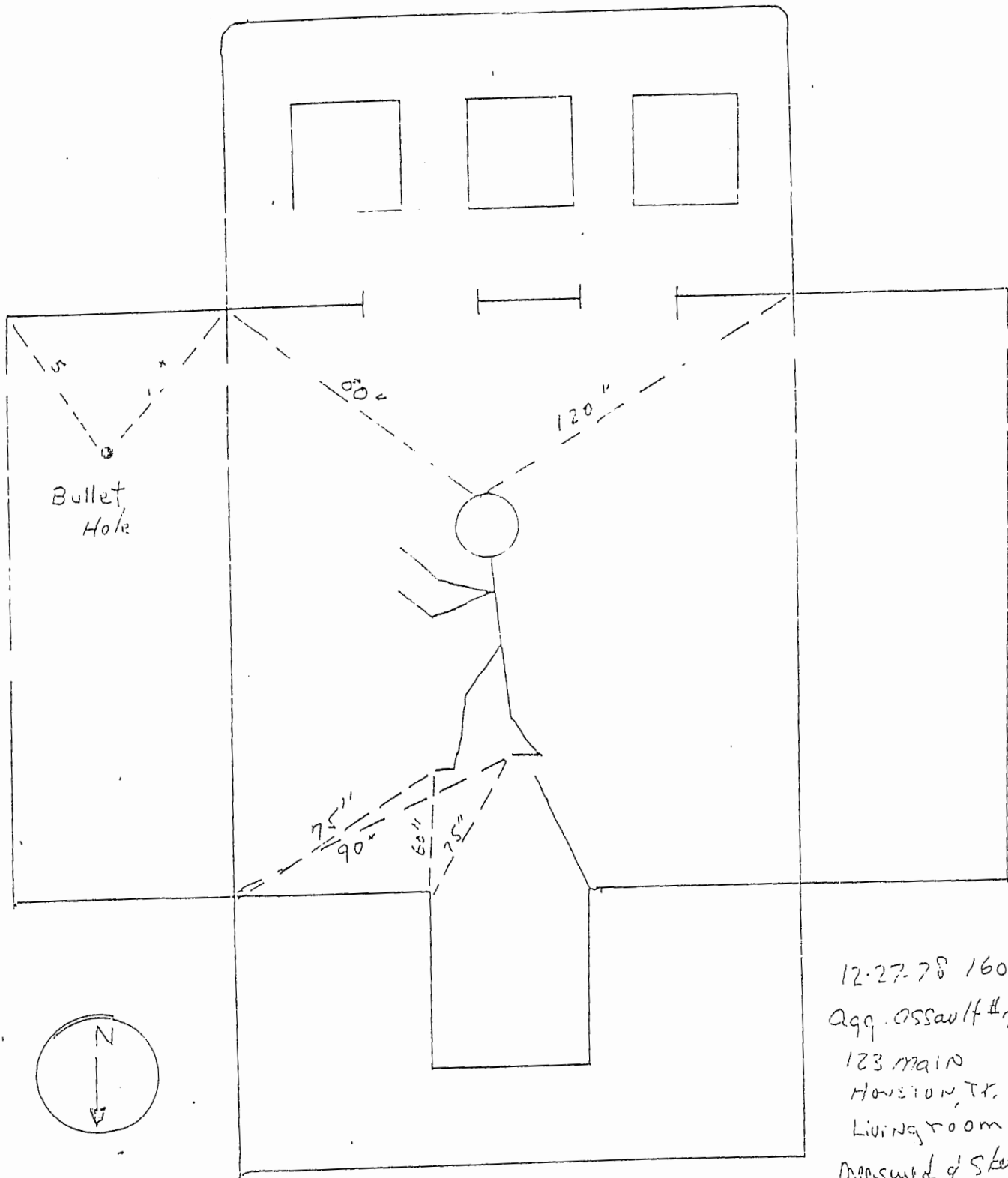
Legend

① Pistol, S&W, .38 cal
S/N 98000

Not drawn
to scale

HCSO
12-27-78 1500 HRS
Agg. Assault # 78-88000
123 MAIN ST
HOUSTON, TX.
Living RM, 1st fl. corner

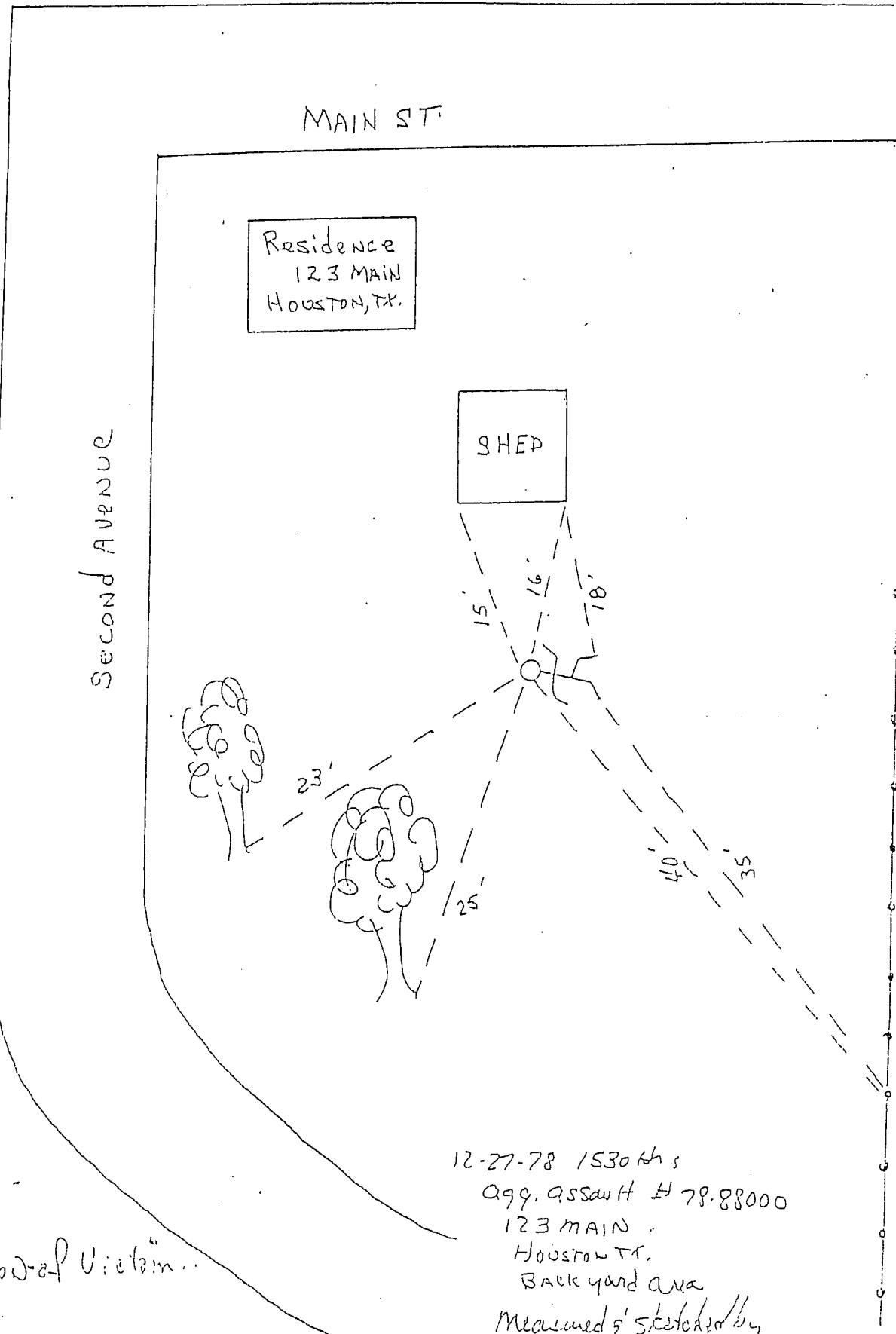
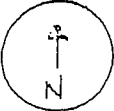
CROSS-PROJECTION METHOD



12-27-78 1600 hrs
Agg. Assault # 78-88000
123 main
Houston, TX
Living room N.W. corner
Measured & sketched
by Lt. E.P. Morrow
HCSO

Not drawn to scale

TRIANGULATION METHOD



Residence
123 MAIN
HOUSTON, TX.

SHEP

SECOND AVENUE

MAIN ST.

Fence
Posts

16th post

12-27-78 1530 hrs
 099, 95544 H 78.88000
 123 MAIN
 HOUSTON TX.
 Back yard area
 Measured & sketched by
 Lt. E. P. [Signature]

Location of Victim

Not Drawn

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Part I
(continued)

- a. Describe the item
 - b. The time of discovery and by whom
 - c. The exact place of discovery
 - d. How the item was marked
 - e. The type of container it was placed in for storage
 - f. How the container was marked and sealed
 - g. The disposition of the item after it was collected
6. The failure to locate items
- a. Note any items not at a scene, that would
 - b. Examples would be the failure to locate any type of weapon where an obvious weapon was used in the offense.

Note: All field notes should be kept permanently in a safe place. This includes all rough sketches done at the scene.

8. Sketching the Crime Scene

The sketches should include all of the following information:

1. The deputy's name and rank
2. The date, time, crime classification and case number
3. The full name of any person assisting in taking measurements
4. The address of the crime scene and position of the building, land marks, and compass direction
5. The scale of the drawing, if drawn to scale
6. The major items of physical evidence and critical features of the crime scene. These items should be indicated by exact measurements from at least two fixed points.
7. Include a legend or key to the symbols used to identify the objects or points of interest in the sketch.

Note: It is important that measurements shown on the sketch be as accurate as possible and that they be made and recorded uniformly. If one part of the sketch is accurate and the other is only estimated, the distortion produced renders the sketch relatively useless. 100 foot and 50 foot

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steel tapes are the best means of taking measurements on a crime scene investigation with the accepted use of the 9 foot and 12 foot steel tapes for indoor use. In making sketches in outdoor areas, the mileage gauge on the automobile odometer is accepted as an exact measurement. Example: 5.2 miles

Sketching Methods

1. Coordinate Method: This method uses the principle of measuring the distance of an object from two fixed points. One form of the coordinate method involves the use of a baseline which is drawn between two known points. The baseline may be a wall or drawn as a mathematical center of a room, the exact dimensions of which are known. The measurements of a given object are taken from left to right along the baseline to a point at right angles to the object to be plotted. This distance is indicated in the legend with a number placed in a circle to indicate the name of the object.
2. Triangulation Method: This method is particularly useful in the outdoor situation where there are no easily identifiable edges of roads or field for use as a reference point. Two or more reference points are located, widely separated if possible. The item of interest is then located by measuring along a straight line from the reference points.
3. Cross-Projection Method: This method is useful when items or locations of interest are on or in the wall surfaces as well as elsewhere in an enclosed space. The walls, windows, and doors in a cross-projection sketch are drawn as though the walls had been folded flat on the floor. The measurements from a given point on the floor to the wall are then sketched.
4. External Wound Chart: This is a separate chart showing various body positions on which the location of wound or bruises are drawn.

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C. Photographing the Crime Scene

- (1.) Admissibility of photographs as evidence: Photographs are admissible in court if the investigator can testify that they accurately depict the crime scene.

If the photograph is to have the highest quality as evidence, then it must depict the scene precisely as found with no alterations to the scene. It must be an exclusive function of the crime scene search, i.e., no people should be in the scene nor should extraneous objects, such as police equipment, be included in the pictures.

2. Identification of photographs: Photographs

identifying data noted as each shot is taken. This information is noted in the investigator's notes and will become a permanent part of the record of the case.

- (3.) Custody of photographs: Custody of the photographs should be strictly maintained. All photographs are to be stored in the photographic with limited access,

They should not be released to any one except the investigator assigned to the case or a representative of the courts, upon proper authorization.

4. Critical photographic requirements:

- a. Approaches to the scene.
- b. Surrounding areas of a house or building
- c. Close ups of all entrances or exits to a scene
- d. A general location shot of the body and its relation to the rest of a room or area it is located in.
- e. Two photographs of the body at 90 degree angles to each other
- f. As many close ups of the body should be taken as needed to show wounds or injuries, weapons lying near the body, and immediate surroundings.
- g. After the body is removed or any other item of evidence is removed, the area under the item should be photographed for any marks, stains or any other apparent change.
- h. All fingerprints which cannot be lifted should be photographed. Photograph the area from which the fingerprints are lifted, if

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not included in any other photographs.

i. Photograph any body stains (blood, etc)

5. Photographing burglary scenes:

- a. The interior and exterior of the building
- b. Damaged areas around the points of entry or exit
- c. Close ups of damage to safes, jewelry boxes, strong boxes etc.
- d. Any tool marks at the scene, close ups as well as distance shots to show location
- e. Fingerprints when they are visible without development or when they cannot be lifted after development.

6. Photographing a vehicle accident:

- a. The overall scene of the accident from both approaches to the point of impact
- b. The exact position of the vehicles, injured persons, and objects connected to the accident.
- c. All points of impact and damage to real property.
- d. All pavement obstructions and defects in the roadways.
- e. Close ups of damage to vehicles
- f. Any skid marks
- g. Any tire tracks, glass and other related debris.

8. Photographing live victims and suspects:

- a. Any time photographs are made of areas of the body not usually visible when a person is clothed, should be made under the supervision of a physician who will testify what the photographs are intended to illustrate.
- b. Any time a male Deputy make these types of photographs of a female victim or suspect, he must be accompanied by a female deputy.
- c. If the subject is a minor child, the written consent of the parent is also needed and the photography must be done with a witness present.

9. Photography of deceased persons:

- a. Take two shots at 90 degree angles to the body showing both sides of the body.
- b. Take any necessary close ups of wounds, bruises, etc.

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9. Photographing fingerprints: Fingerprints should be photographed with a close up lens, if available, They should be photographed any time they are visible without the aid of dusting powder (Patent print) and before any attempt is made to lift them from there location.

Processing Crime Scenes
Part II

Techniques for processing the Crime Scene

II. Procedures:

A. Legal and Scientific Requirements.

1. To satisfy the legal requirements concerning physical evidence, the Deputy must be able to:
 - a. Identify each piece of evidence, even months after he collected it.
 - b. Describe the exact location of the item at the time it was collected.
 - c. Prove up a continuous chain of custody.
 - d. Describe any changes that may have occurred in the evidence between the time of its collection and its introduction as evidence in court.

B. The preliminary examination of the scene.

1. During the preliminary examination of the crime scene, the Deputy should remember that the key functions at this stage are observation and recording rather than action.
 - a. Observation: when the initial survey of the scene is completed, the Deputy should have noted:
 1. The obvious items of evidence to be collected
 2. What order he will collect them
 3. What further items should be searched for
 - b. Recording: the scene is recorded through written notes, sketches and photographs as previously mentioned in Part I.

C. The Detailed search of the scene:

1. A recommended general method of crime scene search:
 - a. If there is evidence that is being significantly deteriorated by time or the elements, these have first priority otherwise:
 - b. All of the major evidence items are examined, photographed, recorded and collected as appropriate taking them in the order that is most logical, considering the requirement to conserve movement.
 - c. When an obviously deceased person is involved,

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the evidence items lying between the point of entry to the scene and to the body are processed, then the detailed search of the deceased is conducted. After that the search is completed, the body should be removed, and the processing of obvious evidence continued.

- d. After processing the more obvious evidence, the search for and collection of additional trace material is commenced. Trace evidence should be searched for and collected before any dusting for fingerprints is done.
- e. After the trace materials have been collected, other latent prints are lifted.
- f. When sweeping or vacuuming, surface areas should be segmented, the sweepings from each area packaged separately, and the location of their point of recovery noted.

evidence samples are collected after the above actions have been completed.

D. Samples of items to be secured:

1. Samples provide a base of comparison of the same material that may be later collected as evidence.
2. Common sample materials are paint chips, glass slivers, bits of metal, fibers, and soil samples.
3. Samples should always be collected before the crime scene is released.
4. It is always better to collect too many samples to be used for comparison than too few.

E. Special considerations in searching outdoor crime scenes

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11. Collect any samples of soil with blood or semen on them.

F. Vehicle searches:

1. Exterior search

2. Interior search:

- a. Do not start the interior search until after completing the fingerprinting of the exterior.
- b. All large evidence items are examined, recorded, collected and packaged.
- c. Photographs are taken as required.
- d. The interior of the auto is divided into five (5) areas of the search:
 1. right front
 2. left front
 3. right rear
 4. left rear
 5. rear deck above rear seat.
- e. Before entering the auto, the Deputy should vacuum the four passenger areas, using a separate container for each section of the auto.
- f. All vacuuming should be done prior to processing for prints, taking care not to destroy any latent prints.
- g. After processing for prints, search for any items of evidence hidden, such as drugs,

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weapons, etc. in the interior.

- h. Photograph any stains and record their exact location in the vehicle. The stain should be removed and forwarded to a laboratory for examination.
- i. Examine the trunk the same way. It is then searched for hidden items of evidence.

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1. The search of an injured victim will be very limited and usually consist of a quick observation of dress, general condition and the nature of any wounds, or injuries.
2. In the case of a deceased victim, the search will be detailed. The position of the body and all pertinent details should be recorded in detail. Photograph it to show its position and all close ups of wounds or injuries and the position of any items of evidence with respect to the body. Make any measurements and draw the necessary sketches.
 - a. The body should be examined for minute items of evidence such as hair, fibers, paint or glass chips.
 - b. Start the search at the head and then proceed down one side of the body, one leg, to the foot and soles of the shoe, then repeat the process on the other side.
 - c. It is important that the position of the evidence on the body is precisely recorded.
 - d. It is not a good idea to take fingerprints of the body at the scene nor fingernail scrappings. Such tasks are better done at the morgue.
 - e. The hands should be bagged with paper bags to protect them because plastic bags will cause condensation to form.
 - f. Upon completion of the search of the body, it may removed to the morgue for further examination.
 - g. The deputy must key his examination of the body at the morgue to the action of the medical examiner's policies while at the morgue.

H. Actions of the investigating deputy at the morgue.

1. The deputy should collect or make arrangements to collect any items of physical evidence samples from the victim.
2. If there was physical contact between the victim and the suspect, the victims clothing should be collected.
3. Other items collected should be blood samples, and fingernail scrappings if there were injuries or contact between the victim and suspect.
4. Any necessary photographs of injuries or wounds, bruises, overall body, etc should be made.
5. Before a deceased victim is removed from the scene, it should be placed in a disposable body bag. This is to insure that physical evidence is not lost during the transportation to the morgue.
6. In the case of a deceased victim, the deputy should remain at the morgue during the autopsy to make notes as to the cause of death and nature of any wounds, any contributing factors.
7. Always note the pathologists estimate of the time of death.
8. Before removing the clothing of the deceased, examine it again for any trace evidence.
9. Cutting of any garment should be avoided if at all possible.
10. Garments should be shaken out.
11. If a garment is wet or blood soaked, it should be laid out flat and air dried at room temperature.
12. Wrap each item of clothing separately.
13. Once the victim is undressed, examine the body again for any wounds. Make any photographs or sketches if necessary.
14. Collect any hair or pubic hair samples if necessary.
15. If victim is a rape case, vaginal smears should be obtained by the pathologist to be forwarded to the laboratory. The swabs used should be forwarded.
16. If the hands are to be processed for fire arms residue, or a trace metal test, these must be done before fingerprinting the body.
17. Fingerprints or palm prints may now be taken.
18. The deputy should pick up any spent slugs or other objects recovered during the autopsy and transport them to the evidence storage room for later further investigation.

I. Search of uninjured suspect:

1. It is important to take custody of the clothing worn by a suspect if it can be determined the clothing was worn during the commission of a

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- crime.
2. Each item of clothing should be examined and wrapped separately.
 3. The following items should be collected and forwarded to the laboratory if necessary:
 - a. Samples of suspects blood and hair
 - b. Fingernail scrappings
 - c. Firearm residue or trace metal detection test
 - d. A full set of fingerprints and or palm prints
 - e. A set of inked foot prints if required by circumstances.
 4. If warranted, this individual search of the suspect may be amplified to include his automobile and or his residence with a search warrant.

Processing Crime Scenes

Part III

III. Procedures for fingerprint techniques:

A. Importance of fingerprints as physical evidence:

1. Fingerprints are the most common form of physical evidence and one of the most valuable. They relate directly to the ultimate objective of every criminal investigation -- the identification of the offender.
2. Fingerprints of the offender are frequently found at the scene of a crime, however, the prints are fragile and susceptible to complete destruction by the first careless act.
3. But with a few exceptions, everyone has fingerprints and no two fingerprints are the same unless they are made by the same finger from the same person. This makes fingerprints the most positive means of identifying people.

B. Definition of fingerprints:

1. A direct or inked fingerprint is an impression of the ridge detail of the underside of the fingers, palms, toes, or the soles of the feet.
2. A latent print is caused by the perspiration through the sweat pores on the ridges of the fingers, palms, or feet, being transferred to some surface. This forms an outline of the ridges.
3. Fingerprints also occur as residues when the ridges have been contaminated with such materials as oil, dirt, blood, and grease.

C. Basis of identification of fingerprints:

1. The ridge detail of fingerprints including the ends of ridges, their separations and their relationship to each other constitute the basis for identification of fingerprints.
2. There is no set number of points of comparison required for identification.
3. The points of comparison occur on any part of the bottom of the fingers, palms, or soles of the feet where friction skin can be located.

D. Limitations of latent prints:

1. It is impossible to determine the age of a latent print unless it can be determined when the last time an object had been cleaned or wiped off and a

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print was found on this object afterward.

2. It is not possible to determine the age or sex of the person leaving the print from the examination of the print alone.
3. Prints cannot be used to identify the race of a suspect nor can occupational groups be determined.

E. Conditions which affect latent prints:

1. The type of surface material
2. Manner in which the print was transferred.
3. Nature and quantity of substance which covered the ridge surfaces.
4. Weather conditions.
5. the condition of the fingerprints.

F. Prints -- No further developing:

contact with blood, ink, paint, grease, dirt, etc.

2. An impression made in a soft substance such as putty, clay, or fresh paint.
3. In both of these cases, the print should be photographed and the item transported to the laboratory or evidence storage room if possible. In the case of an impression made in putty, spray the print with shellac and make a cast of silicone rubber.

G. Method of developing fingerprints:

1. Fingerprints that can be lifted fall into two broad categories, those which are hard, smooth and non absorbent and those which are smooth and absorbent. To determine in which category any given surface belongs, it is helpful to think of what would happen if a drop of water were placed on it. If the drop would bead up, the surface is hard smooth and non absorbent, if the water would soak in, then the surface is absorbent.

H. Developing prints on non absorbent, hard, smooth surfaces:

1. Start with a clean fingerprint brush if possible.
2. Rub the handle between your hands, back and forth in a spinning motion to separate the bristles.
3. Turn the bottle of powder upside down before opening it and tap the base in order to loosen the powder.
4. Place a small amount of powder on the end of the brush.
5. Using small, even strokes, apply a small amount of powder to the areas to be processed.

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6. As patterns begin to show, brush strokes should be directed to follow the contour lines of the print.
7. After the details of the print have been developed, any excess powder should be brushed away carefully.
8. After the print is developed, cover it with the fingerprint tape by placing the tape over a small area next to the print and rubbing it over the top of the print and on past it for a ways.

I. Problem areas:

1. If the items are wet, allow them to air dry in normal temperature. Never use a blow dryer or heat lamp.
2. If the print can be seen but not developed by the powder, it must be photographed.
3. Items exposed to freezing should be allowed to warm up and dry out before attempting to process them.
4. If a good print is developed and is surrounded by prints that appear smudges, always lift them along with the good print on the same lift.

J. Developing prints on absorbent, porous, smooth surfaces:

1. No attempt should be made to develop prints on absorbent surfaces with fingerprint powder.
2. Paper items should be handled with gloves or tweezers.
3. Paper items should be processed by the following three (3) means:
 - a. Iodine fuming
 - b. Nynhydrine spray
 - c. soaking in a solution of silver nitrate.

K. Marking and identifying fingerprint lifts:

1. The following information should be placed on the fingerprint card the lift was placed on:
 - a. Date and time of the lift
 - b. Name and Initials of person making the lift
 - c. Case number
 - d. Type of object
 - e. Place on the object where the lift came from.

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Processing Crime Scenes

IV. Procedures and Techniques for obtaining body fluids:

A. The following body fluids may be found at a crime scene:

1. Blood
2. Semen
3. Saliva
4. Urine
5. Perspiration
6. Pus
7. Human Milk

Of these, the most common type usually encountered are blood and semen.

B. The scientific basis of body fluids

1. It is common knowledge that all persons have the following blood types; A, AB, B, or O. The same factors that make it possible to distinguish one type from another are present in the cells of every organ in the body. This is also true with the testing of blood for DNA uses, which are unique. In some persons, these factors are sufficiently found in their saliva, semen, tears, urine and perspiration to make it possible for the laboratory to determine the blood type from these fluids.

C. Secretors and Non secretors:

1. A secretor is a person whose body fluids as well as the blood can be grouped.
2. A non secretor is a person whom only his blood can be grouped.
3. Approximately 68 to 80% of the population are secretors and the remaining are non secretors.

D. Blood and Bloodstains, laboratory capabilities:

1. The laboratory can furnish the following information concerning blood samples:

	<u>WET</u>	<u>DRY</u>
a. Ascertain that the sample is blood	yes	yes
b. Determine if human or animal	yes	yes
c. Determine blood type/DNA	yes	yes
d. Determine alcohol content of blood	yes	

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	<u>WET</u>	<u>DRY</u>
e. Whether human blood was venous, fetal, or menstrual in origin.	yes	
f. Determine presence of some drugs in the blood	yes	
g. Possible ways in which the blood was deposited on the item or material	yes	yes

E. Procedures used for searching for and collecting blood samples:

1. Any bloodstains discovered should be protected from contamination and possible loss.
2. Bloodstains change in color the longer they are exposed to air and tend to darken the longer the exposure takes place. Color change is also affected by the material the stain is found on.
3. Always check a suspects clothing for any stains where he might have attempted to wipe away any blood from an injury or wound. These items may have been hidden.

F. Shapes of Bloodstains:

1. Drops which fall straight down usually have an even, rough edge pattern.
2. Drops which fall during a persons moving forward will have a shape of a bowling pin or exclamation mark with the small end pointing toward the direction of the movement.

G. Specific methods of collecting blood and bloodstains:

1. Use a clean razor blade and scrape the dried stain onto a piece of clean paper. The paper is then folded and sealed in an envelope.
2. Obtain a clean sample of the material next to the stain and place it along with the razor blade in another sealed envelope to be forwarded to the lab.
3. If the stain cannot be scraped off, use a small piece of clean filter paper, moistened with distilled water and wipe the stain up. Then place the filter paper in a test tube and send it to the lab along with a sample of the distilled water in another tube.
4. If the stain is located in soil, collect just enough soil to contain the stain. Place the

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stained soil in a clean jar and send it to the lab.

H. Moist blood samples:

1. Wet blood can be collected with an eye dropper and placed in a test tube and then sent to the lab.
2. Never mix blood samples taken from two different areas.
3. If the blood is on clothing or other cloth material, let it air dry at room temperature then send it to the lab in a clean paper bag.
4. To get the maximum value from any blood stain evidence, always include a sample of the victim and the suspects blood if possible.

I. Seminal Stains:

1. If the stain is dry, remove it with a clean razor blade, just as a blood stain.
2. If it is wet, collect it on a clean cotton swab and send it to the lab in a clean jar or test tube.
3. If found on a bed sheet or other cloth material, send the material to the lab.

Part V
Techniques for obtaining Trace Evidence

V. Procedures for obtaining trace evidence:

A. Introduction

1. Trace evidence as material that because of its small size, it can easily be overlooked by a deputy and because of its small size can be easily transferred from one object to another.

The biggest advantage of trace evidence is that there usually must have been contact between two objects for the exchange to take place.

The problem of identification is simplified when microscopic evidence linking a suspect with a crime scene is detected.

B. Trace evidence associated with clothing:

1. When collecting clothing of a suspect, the suspect should stand on a clean piece of wrapping paper.
2. After each item is removed, it should be packaged separately after folding.
3. After all clothing is removed, including shoes and socks, the wrapper is folded and forwarded to the lab.
4. Never shake out any of the clothing.
5. Never place the clothing in a plastic bag or other tight container.
6. Always allow any wet clothing to completely air dry.
7. Have the suspect sign each bag containing each article of clothing if possible.
8. Never turn pockets inside out or unroll any pants cuffs.
9. Never take a suspect to the scene of a crime until after this removal and collection of the clothing has taken place.

C. Recovery of the clothing of a victim:

1. Never allow any victims clothing to come in contact with a suspects clothing.
2. Frequently, victims clothing will be received in one bag already mixed together. Go ahead and send it to the lab in one package. There is no use in separating the items at this time.
3. All recovered clothing should be searched for any obvious evidence materials which may have been missed in the crime scene search.

D. Cloth fragments and impressions:

1. Fragments of cloth are sometimes left at crime scenes. Any protrudences of nails, splinters, tree limbs, or any other sharp edges may pick up fragments of cloth from a victim or suspect. They may also be found on the undersides of vehicles involved in hit and run accidents. Cloth may also be used as wicks or trailers to start fires.
 - a. When cloth fragments are located, they should be recorded by the deputy before they are collected.
 - b. When removing the fragment, care should be taken not to damage it.
 - c. If the fragment is a small one, it should be placed in a container which will not require folding it.
 - d. Larger pieces are carefully folded and placed in a clean paper bag, sealed, and marked with
2. Cloth impressions are found in soft materials as wet paint, putty, wax, etc. they may be nearly as valuable as the material itself. Impressions are also found on vehicles involved in hit and run accidents. All impressions of cloth are photographed, this is the most common way of recording them.

E. Threads, fibers, and hair:

1. These are important aids to the investigator.
 - a. Threads are composed of tightly twisted fibers and are perhaps the least often encountered.
 - b. fibers are usually collected from the sweeping of a crime scene and the clothing of victims and suspects.
 - c. The value of hair is its use in narrowing down the field of suspects and adding to the bulk of other evidence. Hair frequently carries valuable trace evidence because it is usually covered with a fine coat of oil. The importance of hair has been most recently established in its use for DNA testing for the positive identification of suspects or victims.

F. Information the crime lab can derive from hair analysis:

1. Hair is usually tested to determine if the sample is human or animal. Information that may be revealed if the sample is human:
 - a. The race of the individual.
 - b. The part of the body which the hair originated.
 - c. Whether the hair was forcibly removed.

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- d. Whether the hair was cut with a dull or sharp instrument.
- e. If the hair has been treated e.g. with dye or bleached.
- f. Whether the hair has been crushed or burned.

G. Possible conclusions concerning hair samples analysis:

1. That the hairs match in terms of microscopic characteristics and that they originated from either the same individual or another individual whose hair exhibits the same microscopic characteristics.
2. That the hairs are not similar and did not originate from the same individuals.
3. That no conclusion can be reached.

H. Procedures with respect to collecting hair samples:

1. Hair should be picked up with a pair of tweezers.
2. Place the hair in a clean bottle or folded in a clean piece of paper. If the paper is used, be careful not to kink the hair by folding it.
3. Identify and mark the sample as any other evidence.
4. Always attempt to collect samples from the victim and suspect if possible for comparison.
5. Always obtain approximately twenty hair samples from the victims or suspect.
6. Get the samples from the head, temple, nape, beard, eye brow, arm, under arm, chest, pubic area, and legs.

I. Fibers:

1. Fibers are classified as being:
 - a. Mineral - glass, asbestos
 - b. Animal - wool, silk, fur.
 - c. Vegetable - cotton, linen, hemp, jute.
 - d. Synthetic - rayon, nylon, dacron.
2. Some fibers are processed to form other materials such as : yarn, thread, cloth.
3. Never use an envelope alone to store fibers, they should be folded in a clean piece of paper first and then placed in an envelope.

J. Examination of the crime scene for fibers:

1. Fibers samples are usually obtained by vacuum sweepings with a special filter attachment. When each area of the scene is swept, the filter is removed from the vacuum cleaner and is placed in an evidence bag or envelope and properly

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identified. If a vacuum cleaner is not available, a whisk broom may be used.

2. Be sure to get samples of the material being swept for comparison.
3. Fibers can be identified as to type, color and matching characteristics based on microscopic, micro chemical, and melting point examinations.

K. String, rope, and containers:

1. String: String may have considerable microscopic material adhering to it which will aid in identifying its environment and any contact it may have had with suspects or locals involved with a crime. When collecting string or rope, never cut thru or untie any knots. The string or rope should be placed in a clean container and sent to the lab.
2. Rope: Rope is made by twisting or braiding strings together and using different types of fibers. The value of rope as evidence depends upon its unusual qualities, the trace material that may adhere to, any of the physical characteristics of the ends of the rope.
3. Containers: The form and construction of containers, together with any marks on their surfaces, can hold valuable information. Some containers can yield valuable latent prints. While it is important to process a container for prints, it is also important that any contents of the container not be allowed to spill or leak.

L. Soils, rocks, minerals, and debris:

1. General: The particles of soil, rocks, and other minerals may be found on the suspects shoes, clothing, and personal items. These may also be found on vehicles, tools used in a crime, and on the victim. Soil, for this discussion, is considered to be the top surface of the earth down to a level that the normal foot or tire impression would extend. Debris, is the remains of any larger object that has been broken down. Thus, scrapes of building materials, safe insulation, shreds of glass and pottery, all are examples of debris.
2. The value of soil, rocks as evidence: One of the primary uses of soils and rocks as evidence is to compare the crime scene with samples on the suspects clothing or other possessions. Soil and rock evidence is most likely to be obtained when a crime scene was committed out side or when the suspect was required to walk or drive on unpaved areas. There are numerous ways in which soil or

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- rock evidence can be transferred.
- a. The offender may deposit at the crime scene rocks or dried soil particles he picked up at some spot outside the area of the scene.
 - b. Similarly, the offender may pick up soils or rock particles from the crime scene and retain them in the cracks of the heel of his shoe or in his pant cuff. The victim of a hit and run accident may have on his clothing soil or mineral particles that were transferred by the vehicle that struck him.
3. The evidence value of debris: There are two categories of debris that warrant special consideration: Plaster and building materials, and safe insulation.
- a. When breaking into a building, a variety of building material debris will be created and these debris may be found on a suspects clothing: cinder block and brick fragments, pieces of plaster board, splinters of wood, glass shreds, plaster dust, and perhaps the fragments of tools used in the entry. Debris fragments mixed with soil has particular value as evidence. A sample of this debris soil mixture would be a valuable comparison sample that could be matched with the material on a suspects shoes or clothing.

M. General collection procedures:

1. Personal articles of clothing and shoes suspected of containing soil, rock, or debris samples should be placed in a clean bag and sent to the lab.
2. Samples of soils should be collected from foot prints or tire prints after they have been made, photographed, and or casts have been made of them. After the initial sample is taken from the foot or tire print, take an additional sample of the soil from four different compass points of direction from the original sample. These other four samples should be approximately twenty feet from the first one.
3. Always use a clean spoon to obtain samples and be sure to clean it between each use.
4. Place each sample in a clean pill jar with a

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sealable lid and mark each sample.

5. Always draw a diagram showing the location that each sample was taken from.

NOTE: Soil, mineral and rock samples should never be mixed, they should be kept separate after collection.

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Processing Crime Scenes

Part VI

Techniques for processing firearms

VI. Procedures for processing firearms:

A. Terms used:

1. Pistol, is used to refer to a handgun which does not have a cylinder. These are usually automatic or semi automatic.
2. Revolver, is used to refer to a handgun with a rotating cylinder.
3. A live round, is composed of the cartridge case and the bullet.
4. The bullet, is only a component of a live round.
5. Shotguns, are referred to as smooth bore weapons.
6. Rifle, is designed to be fired from the shoulder.

B. Handling firearms and ammunition discovered in the search:

1. Before picking up a firearm, note the position of the hammer and record if it is down, half cocked, or cocked. The position of the safety should be noted. The position and number of cartridge cases in the vicinity should be noted.
2. Note the exact location of the weapon and all related materials. The make, model, serial number, caliber, any other descriptive information concerning it. Note how and where the firearm was marked.
3. Firearms should be picked up with care to preserve fingerprints or other trace evidence and to prevent accidental discharge. A handgun should be picked up by the edge of the trigger guard or the checkered portion of the grips.
4. All firearms should be unloaded at this point. Note that fired or unfired condition of the ammunition under the firing pin. Also the other fired or unfired ammunition in the weapon and its location in the cylinder, or number of rounds left in the magazine of an automatic.

C. Processing damaged or rusty weapons:

1. If a weapon is recovered which is rusted and cannot be checked for live rounds, place it in an evidence bag and mark the bag "CAUTION LOADED FIREARM."
2. No attempt should be made in the field to clean or dry out a wet or rusted firearm. Send them to the lab.

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D. Lifting latent prints from firearms:

1. After the firearm is unloaded it should be checked for latent prints and the presence of any traces of blood.
2. If blood traces are present, take a sample of the blood as described earlier in Part IV.
3. If no blood traces are present, proceed with processing the firearm by fuming it in a "super glue" or cyanoacrylate ester fuming tank if available.
4. Once latent prints are visible either by super glueing or by visual check, proceed by dusting the weapon with proper powder to enhance the prints.
5. If the firearm is covered with oil, any visible latent prints will have to be photographed.
6. While dusting a firearm, use some powder and tape to make a lift of the serial number.

firearm should be left in intact for processing by the lab.

8. It should be noted that dried blood will normally not be harmed by dusting the weapon for fingerprints.

E. Marking firearms:

1. Always mark a weapon with your own initials.
2. Always mark on the inside of the grips if possible.
3. Never deface a weapon.
4. Mark the magazine of automatic weapons.
5. Mark rifles and shotguns the same way, inside the grips or under the butt plate of the stock.

F. Examination of firearms by the laboratory:

1. Examinations are concerned with the following:
 - a. Fired cartridge cases.
 - b. Bullets
 - c. Live rounds
 - d. Firearms residue.
 - e. The firearm itself.
2. A fired bullet can usually be identified with a particular type of firearm by examining the land groove impressions left on it by the rifling of the barrel.
3. The fired cartridge case is marked by several parts of the weapon:
 - a. When the firing pin strikes the primer.
 - b. Any striations on the breach face will be recorded on the cartridge face when fired.
 - c. Any defects in the chamber of the barrel will be recorded on the lid of the cartridge.

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- d. The mark of the extractor will be recorded on the edge of the cartridge rim.
- e. The mark of the ejector will be recorded on the casing of the cartridge.

G. Marking Bullets and cartridge cases:

1. Bullets are marked on either the nose or the base only. Never mark on the side where the lands and grooves are.
2. Bullets should then be rolled up in a clean paper and placed in a container. Never let them roll around in a jar.
3. Never place them in your pocket where they may be damaged.
4. If bullets are wet with water or body fluids, allow them to air dry before they are packaged. Never wipe them.
5. Cartridge cases should be marked inside the mouth of the case.
6. Never mark any evidence with an " X ", always use your initials.

H. Live ammunition as samples:

1. Live ammunition of the same type and manufacturer as the ammunition found in a weapon is important when conduction test to determine the distance from which the firearm was discharged at a victim.

I. Serial number restoration:

1. Serial numbers that have been stamped in the metal are frequently ground or punched over. These can be restored by the lab if they have not be ground out or punched out to deeply. The number area is first polished and then swabbed with an etching solution until the number appears. The number is then photographed before it fades away which will quite often happen.

Possible Laboratory Determinations

Required by laboratory

Fired Bullet

Possible lab determination

Make, caliber, type of firearm from which each could have been discharged; type of propellant used in firing; name of maker and makers designation as to type, caliber, etc.

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Required by Laboratory

Possible lab Determination

Fired Cartridge Case

Make, caliber, type of firearm in which each could have been fired; type of propellant used in firing; name of maker and makers designation as to type, caliber, etc.

Two or more fired Bullets

In addition to determination possible with a single fired bullet, whether two or all were fired from the same firearm.

Two or more fired cartridge

In addition to determination possible with a single cartridge case, whether two or all were fired from the same firearm.

Fired Bullet and Suspected Bullet

In addition to determination possible with a single fired bullet whether bullet was fired from suspected fire arm.

Fired Cartridge case and suspected firearm

In addition to determination possible with a single cartridge case, whether cartridge case was fired in suspected firearm.

Suspected Firearm ammunition scaled photograph of powder or shot pattern and victims clothing

Approximate distance at which shot was discharged

Shot pellets and Wads

Size of shot and gauge designation of firearm firing wads.

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Processing Crime Scenes

Part VII

Techniques for processing Tool Marks and Broken Metals

VII. Procedures for processing Tool Marks and Broken Metals

- A. Tool Marks - Means the tool marks, the tools that made them, and the trace materials that may be associated with either the mark or the tool.
- B. Broken Metals - refer to any part of the tool which has been broken off during the commission of the crime.
- C. Tool Marks :
1. A tool is any object capable of marking an impression of another solid object.
 2. A tool mark is the impression, cut, gouge, or abrasion that results when a tool is brought into contact with an object.
 3. A tool mark may be pressed into the material in which case it is classified as a negative impression.
 4. A tool impressed into a material also cuts channels or furrows that usually run in parallel lines. These furrows are known as striations. When material has these markings, it is said to be striated.
- D. The evidence value of tool marks:
1. A tool mark in metal or other hard surfaces will frequently yield microscopic characteristics which are particularly valuable in achieving positive identification of the tool that made the impression.
- E. Class and individual characteristics of tools:
1. The class characteristics of a tool are those that distinguish it functionally from another. Class characteristics serve as a screening device to narrow the field of search for a particular type of tool.
 2. The individual characteristics result from the process used in their manufacture and the way the tool has been used. These individual characteristics make it possible to positively identify a particular tool that was used by the lab.
- F. Collecting tool mark evidence:
1. If possible the object bearing the tool mark

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should be brought to the lab.

2. Photograph the tool mark close up.
3. Make a rubber/silicone cast of the mark.
4. Make a search for the tool that made the mark at the scene or of the suspect.

G. Never attempt to fit a tool found at the scene to an impression. The tool may impart additional marks to the impression or trace materials could be lost or contaminated by attempts to determine whether a tool fits an impression.

H. If a tool is located, never attempt to clean it, this could cause the loss of important trace evidence.

I. Broken Metals:

1. The shape of the break in a tool or other object is very important. Always protect the edge of a tool which has been broken off so it will not encounter any further wear.
2. When the broken piece of the tool or other object is found, it can be determined that the two pieces fit together if neither one had been further damaged.

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Processing Crime Scene
Part VIII

Preparation of Casts and Collection of Residual Impressions

VIII. Procedures for preparation of Casts and Collection of Residual Impressions

- A. There are two general types of casting materials. Plaster and silicone rubber. Plaster is generally used for tire or foot prints. Silicone rubber is generally used for tool marks.
- B. Preparation of the impression before casting:
1. First, Carefully remove all twigs, leaves and any other extraneous materials.
 2. Spray the impression with a fast drying silicone spray. This usually takes five to ten minutes to dry.
 3. Place a metal or wooden frame approximately three inches high completely around the area to be cast.
 4. Using plaster of Paris, pour in the proper amount in a rubber bowl.
 5. Add enough water to completely fill the area of the impression to be cast.
 6. Stir the mixture until it becomes pasty.
 7. Using a baffle of some type, slowly pour the mixture over the impression until the impression is covered. (very carefully)
 8. Add some strips of wire mesh as reinforcement.
 9. After restirring the remainder of the mixture is added.
 10. Before hardening, the identification date may be added to the cast: date made, deputys name or initials.
 11. Always preserve any soil samples adhering to a finished cast. These should be sent to the lab for future comparisons against any samples taken from a suspects clothing.
- C. Casting tool marks:
1. Cast of tool marks should be made when there is no practical way of bringing the item the mark was left on to court.
Silicone rubber and a catalyst are mixed and then applied to the area of the mark before they have a chance to dry. You should place a small arrow on the back of the cast to indicate which end of the mark is up.

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Part IX

Techniques for Examination of Paint and Glass

IX. Procedure for Examination of Paint and Glass:

A. Paint : paint in any form is useful in investigations. It is usually involved in burglary or hit and run cases.

B. Examination of Paint:

1. Paint is usually examined comparatively - a sample recovered from a search is compared to a known.
2. Paint chips are also matched to an object the chip broke off from.
3. Paint samples can be chemically analyzed to identify the type and pigment and filler used in the manufacture of the paint.

C. Obtaining samples of paint:

1. When obtaining samples from any painted surface the paint should be chipped off. Never scrape the surface for a paint sample.
2. The paint samples should be taken from two locations.
 - a. From within any damaged area.
 - b. From an adjacent undamaged area.
3. There is one exception! If the damaged area contains a tool mark, do not take the sample or the tool mark may be destroyed.
4. Paint chips should be collected very carefully to keep them intact. The larger the chip, the more value it will have as a sample.
5. Never place two different samples together in the same container.

D. Glass:

1. Glass is valuable as evidence because of the identifiable variations in its physical properties and methods of its manufacture.
2. The evidence value of glass is also enhanced by the fact that fragments may be frequently matched.

E. Fragment Examination:

1. An exact fit of a piece of broken glass with the broken edge of another piece is usually conclusive

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evidence of the source of the fragment. The fragment must be large enough to allow a fit and the thickness, color, variation, grain, and general appearance of the fragment must be the same as the piece to which it is being matched.

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Processing Crime Scenes

Part X

Techniques for Examination of Questioned Documents

X. Procedure for Examination of Questioned Documents

A. The term "Questioned Documents" is used to include altered, forged, or otherwise suspect documents. Always protect a document from damage, contamination or alteration. The document should be placed in a transparent container as soon as it is received.

B. Preliminary examination:

1. The examination should be limited to only a physical exam of the color of the inks or pencils used, the type of paper, and the handwriting. Evidence of erasures or other apparent alterations of what appeared to be the original of the document are of particular interest when quantities of goods and money are involved.
2. The type of writing instrument used and the physical characteristics of the paper should be given close attention. The papers overall quality, color, texture, weight, and presence of water marks are useful characteristics to include in the case report. These may identify a special manufacturing process or a particular supplier or purchaser. They are also useful as comparisons against any samples collected during the investigation.

C. Alterations:

1. An alteration of a document is the writing over of previous writing or adding to it, e. changing a one to a seven or none, etc or adding one or more zeros to a number.
2. An obliteration is the intentional destruction of some part of an original writing by marking through or over it.
3. Erasures on documents may be accomplished by either chemically or mechanically removing marks on the paper.
4. If a document has been torn, make an attempt to find all remaining pieces as the document can be reassembled.
5. If a document has been burned it should be handled with great care as it may be possible to restore it by the lab.

D. Mechanical writing devices:

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1. The most common mechanical writing devices are typewriters, check protectors, adding machines, cash registers, and rubber stamps. All of the above devices can be identified as the particular one that was used to produce a particular document.

E. Document samples:

1. Analysis of the paper in a sample and a sample may determine that the paper is identical.
2. Handwriting comparisons of a document and a sample may determine whether the document was written by one or several persons, that a signature on a document is genuine or that additions or deletions were made to the original.
3. Typewriter material comparisons can identify changes in a document context made by a different typewriter, manufacturing differences in the same manufacture of a typewriter used, and the date of the document, the origin of two or more documents or the specific typewriter used in preparing a particular document.

F. Collecting document samples:

The following is a list of general samples for document evidence.

1. An envelope that matches the stationary on which a suspect document was prepared.
2. A tablet from which a sheet of paper in question may have been torn from.
3. A blotter that may have been under the questioned document.
4. A sample of a similar type of paper of known age, if the age of the document is important.
5. The pen suspected of having written the document in question.
6. Pencils of the same lead type as used in writing on the questioned document.
7. Material known to be written in the hand of a suspect.
8. Typewriter samples.
 - a. Collected to determine if a document was written on a particular machine.
 - b. Either submit the typewriter itself or a sample from it.
 - c. The document should be completely reproduced or, if excessively long, reproduced the first paragraph.
 - d. Be sure to reproduce each character of the typewriter was well as the document. Use both the shift as well as the non shift positions.
 - e. Use a separate sheet of paper for each sample.

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- f. Use the same amount of pressure in typing the sample as was used in the questioned document.
- g. The name of the person making the sample, the date and place it was made, the manufacturer of the machine and the model and serial number should be typed on the front of each sample.

G. Handwriting identification and samples:

When obtaining handwriting samples, be careful to avoid the following:

1. Shock or fear, if the person is badly shaken, a quiver or other characteristic may show in the sample that is abnormal in the persons style.
2. Unfamiliar writing materials, those furnished for writing the sample should be as alike as possible to those apparently used in writing the questioned document.
3. Unfamiliar physical position or adverse conditions. The subject should be allowed to sit down and write the sample. If the questioned document was written under an unusual condition, then this should be duplicated also.
4. Writing without glasses that are normally worn. Always let the suspect wear any glasses he normally wears when writing.
5. Taking an insufficient sample. It is always good to practice to have the subject write several full pages. The subject matter should include the words used in the questioned document.
6. Always attempt to obtain a non requested sample of the suspects writing as this will not have any attempts to alter the handwriting in it.

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Part XI

Identification of Unknown Dead

XI. Procedures for Identification of Unknown Dead

- I. The identification of an unknown deceased victim is of the utmost importance and must be vigorously pursued until every investigative lead has been exhausted.
- II. Much information can be obtained by a detailed examination of a body, clothing, and personal effects found in clothing, pockets or on the scene.
- III. Few of the following items are in themselves a basis for positive identification, but several items taken together may be sufficient basis upon which to establish a positive identification.
- IV. Investigative leads to pursue for positive identification:
 - A. Procedure for visual external examination of a body:
 1. Fingerprints, palm prints, and footprints.
 2. Complete physical description to include:
 - a. Sex
 - b. Age
 - c. Weight
 - d. Height
 - e. Build
 - f. Color of eyes
 - g. Race
 - h. Skin:
 1. Complexion
 2. Tattoos
 3. Warts, moles, birth marks
 4. Skin disease
 5. Scars, injury or surgical
 6. Needle punctures
 7. Ring mark in finger
 - i. Hair:
 1. Color
 2. Length
 3. Straight, wavy, curly, etc
 4. Natural, wig, etc
 5. Beard, mustache, type
 - j. Teeth:

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1. Natural or false
2. Appearance (shape, stains)
3. Dental work (fillings, missing teeth, bridge work)

k. Fingernails:

1. Long, short, broken, etc
2. Manicured, fingernail polish
3. Discolored or damaged due to occupation

l. Amputations and deformities

B. Occupational "trademarks"

Sometimes a persons occupation, trade, or profession may be indicated by a close examination of the body or clothing. For example, a person who had done considerable boxing may have cauliflower ears (boxers ears). One who does a lot of writing with a pen or pencil may have callus or hardening of the last joint of the left or right middle finger where the pen or pencil rests when writing. A person who does masonry work may have the pads of his fingers worn from handling blocks and bricks. Other occupations which may have characteristic markings are barber, butcher, tailor, shoemaker, blacksmith, etc.

C. Examination of clothing:

1. Description and size of all garments
2. Manufacturer, store, tailor labels
3. Laundry markings (some can be seen by use of an ultra-violet light only)
4. Laundry tags left on clothing
5. Monograms
6. Repair of tears and holes
7. Belt buckles
8. Buttons (missing or broken, special type)
9. Trace material which may indicate occupation

D. Identification photographs should include frontal and side views of the victims head, and any scars, tattoos, unusual jewelry, or other visible identifying characteristics or objects.

E. Review missing person reports and have body viewed by family or acquaintances of missing persons.

F. Internal examination of the body:

1. X-ray examination: A body which is unidentifiable by external means should be subjected to a complete X-ray examination in

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order to determine the presence of:

a. Foreign bodies:

1. Pieces of shrapnel
2. Fire Bullets
3. Prosthetic devices (metal skull plate,
metal pins in bones, etc)

b. Mended bone fractures

c. Other abnormalities which may aid in
identification.

2. Body organs missing as a result of a surgery
3. Improper location of body organs
4. Evidence of a present or prior illness

a. Heart disease

c. Arteriosclerosis

d. Pathological changes due to age, occupation,
or geographical residence

e. Stomach contents

G. Personal effects:

1. Drivers license
2. Social Security Card
3. Identification Card
4. Identification tag
5. Photographs
 - a. Self
 - b. Family
 - c. Acquaintances
 - d. Locations
 - e. Names and other writing of photographs

6. Company checks or check stubs

7. Letter or other notes

8. Paid and due notices

9. Rings:

- a. Class ring
- b. Organization rings
- c. Initials

10. Cigarette case and lighter

11. Car and house keys

12. Miniature license plates on key ring

13. Monogrammed wallet

14. Watch:

- a. Engravings
- b. Jeweler Repair Marks

15. Eye Glasses:

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- a. Contact lenses
 - b. Prescription
 - c. Glass eye
16. Hearing aids

H. Additional Techniques:

- 1. X-ray examination of teeth
- 2. X-ray of skull superimposed over negative or print of photograph of victims head.
- 3. Serological examination of tissue.
- 4. Blood type and factor (may be rare, and victim a donor whose name may be on file at hospital or blood bank)

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Processing Crime Scenes

Part XII

Latent Print Examination
and
Crime Search of a Vehicle

XII. Procedure for Latent Print Examination and Crime Search of a Vehicle:

A. A latent print examination of a vehicle can be very productive when done properly. The vehicle should be completely examined inside and out for latent prints and searched thoroughly for latent print evidence and all other forms of evidence.

B. Special instructions for examination:

1. The complete latent print examination of a vehicle should be conducted by two qualified persons if possible.
2. The examination should be completed at the location of recovery, if possible.
 - a. Factors that govern moving the vehicle to another location:
 1. Weather
 2. Proper lighting
 3. Officer Safety
3. If the vehicle is wet, it should be allowed to dry completely before being examined.
4. The persons processing the vehicle should wear gloves, as not to contaminate evidence with additional latent prints.
5. When possible, all latent prints should be photographed prior to being lifted.
6. A sketch should be made to indicate the location of the vehicle in relation to the surroundings. This does not replace photography, but merely supplements it for measurement purposes.
7. Elimination prints of persons having access to the vehicle should be obtained if possible.

C. Preliminary examination and documentation:

1. Deputy's supplement:
 - a. Introduction
 1. Date and time of assignment
 2. By whom assignment was received
 3. Time of arrival on scene
 4. Exact location of scene

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5. Light and weather conditions
 6. Names of officers on scene upon arrival
 7. Names of other persons present on scene
- b. Detailed description of the vehicle to be processed:
1. License Number
 2. VIN number
 3. Manufacturer
 4. Model
 5. Type
 6. Year
 7. Color

2. Examination procedures:

- a. Photograph vehicle from both side, front and rear, making sure the license plates are visible in the photograph.
- b. Photograph the interior of the vehicle to include; the radio setting, the mileage reading, the inspection sticker, and any other oddities present.

NOTE: Inspect plates, mounting bolts, etc. for any indications of someone changing the plates.

- c. Initially examine the door handles for latent prints, photograph those if visible, powder and photograph them then lift them.
- d. Upon completion of door handle examination, open all of the vehicle doors and check for service stickers on door frames.
- e. Record the mileage displayed on the odometer.
- f. Non porous surfaces in the interior to be processed for latent prints include:
 1. Front and back of rear view mirror and any visor mirror.
 2. Seat adjustment and east belt buckles
 3. Bottom of arm rest
 4. Steering wheel and gear shift or selector
 5. All interior glass items/areas
 6. Push buttons on radio, record the station the radio is set on.
 7. Door handles and window handles
 8. Dash of vehicle including the knobs, controls, ash tray, cigarette lighter, glove compartment, etc.
 9. Any accessories such as tape deck, CB radio, etc.
- g. Non Porous surfaces on the exterior to be processed for latent prints include:

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1. side view mirror
2. All outside glass areas
3. License plates
4. All exterior painted surfaces
5. Check engine area:
 - a. Hood release
 - b. Air cleaner
 - c. Other items possibly tampered with
 - d. Look for cast prints in oil or grease
- h. Areas on the interior and exterior to be checked for latent print evidence and other contraband or evidence items:
 1. Above sun visor
 2. Underneath all seats
 3. Trunk area of vehicle
 4. Glove compartment
 5. Under dash
 7. Inside hub caps
 8. Cigarette butts or trash from ashtray or floor areas.
 9. Seat belt holders
 10. Hollow windshield wiper area in front of and below windshield.
 11. Magnetic box attached to frame (key holder)
 12. Inside heater hoses if applicable
 13. Under floor mats
 14. Be alert for road maps, envelopes, and other paper items strewn inside of the vehicle.

3. Documentation of Examination:

- a. Who conducted search of any particular area
- b. Who discovered item and mark it
- c. Measurements and photographs to establish the exact location it was discovered.
- d. How the item is packaged and marked
- e. What is the disposition of each item
 1. Property room
 2. Laboratory processing
 3. Etc.

NOTE: 1. The chain of custody must be maintained

NOTE: 2. Refer to evidence handling publications for the proper handling, packaging, and marking of items.

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D. Problem areas to consider regarding powdering techniques for development of latent prints:

the back.

2. Porcelain - Additional caution should be taken when processing objects such as sinks, bathtubs, stoves, washing machines, and refrigerators. Due to the highly glazed surface of porcelain or enamel, latents may easily be destroyed if the fingerprints powders are carelessly applied thereon. The powder should become visible, they should be dressed by using short, light strokes of the brush.
3. Metal coin boxes - Some difficulty has been experienced when processing metal coin boxes taken from slot machines or juke boxes. If the box has a shiny, reflective surface, gray powder should be used and the latents photographed in the usual manner. However, if the box has a dull, gray surface, the black powder should be applied. Since such boxes are not as smooth as those which have a reflective surface, that black powder should be spread back and forth several different times. This allows the powder to cover the minute depressions of such surfaces.
4. Firearms - The treatment of nickel plated and blue steel firearms is handled in much the same manner as metal coin boxes. The reflective surfaces of nickel plated guns should afford no difficulty if processed with gray powder. Gray powder should also be used on blue steel guns, spreading it back and forth several times over the surface and then brushing thoroughly when dressing the latent. When processing firearms, or any type of metal object, the use of metallic powders should be avoided, inasmuch as they have a tendency to adhere to the background.
5. Leather - Under ordinary conditions, latents cannot be developed on heavily grained leather objects. However, a visual examination should

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be conducted to disclose any partially visible latents which may have been formed by abnormal secretions. These latents should be photographed "as is" or powdered, depending on their degree of visibility. When treating leather wallets, the celluloid card holder and any other paper specimens contained therein should be considered as sources of latent impressions.

6. Plastics - Lack of uniformity in plastic composition had created great difficulty when treating these surfaces for latents. Two apparently similar plastic articles will react differently to the same powder. Before processing plastic objects, it is suggested that control tests be conducted. This is done by placing a small amount of powder on the surface to determine whether or not most of the

background. Black, gray, and dragons blood powders have proved successful in producing latents. In most instances, aluminum and powders containing an excess of metallic powder will prove unsatisfactory, inasmuch as these powders have a tendency to adhere too tenaciously to the entire surface.

7. Translucent glass - Translucent glass is the so-called "frosted" or "obscure" glass used as partitions for offices or on the entrance door to offices. This glass is smooth on one side and rough on the other. Under normal conditions, latents suitable for identification purposes are rarely developed on the rough side of the glass. The problem occurring in the treatment of this type of glass is usually not one of developing the latents but rather, a problem in photographing the impressions. The detail of the latent impression developed on the smooth side of the glass is usually obscured by the light reflecting from the rough, grainy side. This background can be easily eliminated by applying fingerprint ink or black paints on the rough side. The ink or paint must be allowed to cover the surface thoroughly, thus eliminating all reflections of light.
8. Adhesive Tape - It is obvious that the sticky side of adhesive tape should not be treated with powder. Latents have been developed on this substance by exposing it to iodine fumes or Jensen's violet solution. Jensen's violet is the preferred method of developing the latents.

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E. Objects affected by humidity and moisture,
techniques for drying and processing:

In some areas during certain seasons of the year, the humidity is so high that moisture collects on practically all objects exposed to weather. Even objects in unheated buildings may thus be affected. This condition also occurs after a rainy period continuing for two or more days. Needless to say, it is impossible to powder objects when in this dampened condition. Contrary to general opinion, moisture will not always destroy latent impressions. The possibility of latents remaining on an object after it has been exposed to moisture is dependant upon the amount and type of secretion deposited. If an oily secretion is deposited, there is a possibility that the latent will not be destroyed even if the object is immersed in water. The treatment of objects exposed to such conditions is relatively simple - the object must be dried before powdering. An automobile exposed to dew or rain can be dried out by removing it to a heated garage. Objects in a damp room can be dried by using a portable electric heater or by using the heating system available in the house. Smaller articles such as bottles, cans, etc. can be dried rather quickly with a hair dryer.

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Essentials of Fingerprint Testimony

I. Introduction and Identification of the object, lift or photograph showing the latent lift

A. This testimony will be concern with the following:

1. Location of the object or latent print at the crime scene;
2. Date it was found
3. Circumstances surrounding its development and preservation

B. The person offering this testimony will have had some training in the development, lifting and photographing of the latent impressions, but does not have to be a fingerprint expert or qualify as such.

C. Questions - introduction of latent evidence:

1. Please state your name and address.
2. By whom are you employed and in what capacity?
3. How long have you been so employed?
4. What are your duties as a _____?
5. Were you on duty the evening of _____?
6. What, if anything, happened that evening?
7. Do you have that item with you?
8. May I have it? (Request item be marked for identification.)
9. Where has this items been since it was initially recovered by you?

I would like to offer this item as evidence your honor. I have no further questions at this time.

II. Introduction and identification of the known (inked) fingerprints of the defendant.

A. This testimony will be concerned with the following:

1. Testimony must be given by the person(s) who took the defendants known prints.
2. Information on the fingerprint card:
 - a. Defendants name
 - b. Defendants signature
 - c. Signature or initials of the person taking prints
 - d. Number identifying the defendant
 - e. Date prints taken

B. The person offering this testimony will have had some training, knowledge, and experience concerning the proper recording of fingerprints. It is not

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necessary that this person be a fingerprint expert nor qualify as such.

C. Questions - introduction of inked fingerprints as evidence:

1. Please state your name and address.
2. By whom are you employed and in what capacity?
3. How long have you been employed in this capacity?
4. What are your primary duties?
5. On or about _____ did you have an occasion to record the fingerprints of an individual named _____?
6. Do you have these fingerprints with you? May I have them? (Request that they be marked for identification)
7. Would you described this item, and then procedures involved?
8. Is the individual whose fingerprints appear on this card presently in this room?
9. Are you sure this is the same individual whose prints you recorded on _____?

I would like to offer this fingerprint card in evidence your honor. I have no further questions at this time.

III. Testimony by an expert regarding the comparison and identification of the latent print with the known prints of the defendant.

A. The appearance of the expert requires two things:

1. Acceptance by the court as an expert.
2. Identification of the evidence as having been examined by the expert and testimony concerning his finding as a result of having examined it.

B. It will be necessary for the prosecutor to bring out the experts qualifications by questioning him concerning:

1. His knowledge
2. His training
3. And experience in fingerprint work

C. The defense counsel may question or challenge the qualifications.

D. Upon having been accepted by the court as an expert the prosecutor will then ask the expert questions concerning his examination of the material and then his findings.

E. The expert may use "prepared evidence" such as

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enlarged photographic charts to illustrate his identification, although there is no legal requirement to do so.

F. Questions - Introduction of fingerprint expert.

1. What is your name?
2. By whom are you employed?
3. Where are your official headquarters?
4. What is your official title?
5. What are your duties?
6. How long have you been employed in fingerprint work?
7. What is an inked fingerprint?
8. What is a latent fingerprint?
9. How are fingerprints compared and identifications affected?
10. What are the basic factors in the use of fingerprints?
11. Have you seen exhibit _____ before?
12. Where did you see it?
13. Did you examine exhibit _____ for latent prints?
14. What was the result of this examination?
15. Have you seen this fingerprint card before?
16. Where did you see it?
17. Did you compare the latent fingerprint(s) on exhibit _____ with the fingerprints on this card?
18. What was the result of your comparison?
19. Do you have charted enlargements illustrating the identification?
20. Will you demonstrate these charts to the jury?

IV. Guidelines for proper demeanor in the court room

- a. Walk to the witness stand with even steps.
- b. When taking the oath, hold your right arm up high with the fingers straight and look at the officer administering the oath.
- c. When the officer finishes the oath "...so help you god", you say " I do" in a loud voice so that all in the court room can hear. Do not act timid.
- d. Think before you speak.
- e. When one of the lawyers calls "objection" or if the court interrupts, stop your answer immediately and wait until the court gives its ruling.
- f. Be fair and frank. Don't be too anxious to please or too eager to fight.

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- G. If you make a mistake, or a slight contradiction, admit it and correct it. Don't tie yourself in knots trying to cover up some slip of speech or memory.
- H. Keep your temper. Don't let anyone rile you into arguments over trivial points or even important ones. Be firm, but flexible.
- I. If you cant answer "yes" or "no", say so. Modify your reply by "under certain circumstances..."
- J. If you don't know or cant remember, say so. Those are legitimate answers to the most illegitimate questions.
- K. Avoid mannerisms of speech. The habit of prefacing your replies with something like, " I can truthfully say..." may cast unwarranted doubts on your whole testimony.
- L. Don't get caught by snares like this: "did you ever discuss this with anyone?" Of course you did, and if asked, name the people - The prosecutor, complainant, etc.
- M. Never Try to be a smart witness. If a lawyer is obviously giving you a chance for a wisecrack, avoid it like the plague. Its just the anesthetic before the knife - putting you in the "now this wont hurt you a bit mood".
- N. If the opposing attorney interupts you before you have a chance to complete your answer, you indicate this to the presiding judge.
- O. Don't volunteer information.
- P. Be brief.
- Q. During the recess you should not carry on any conversations with other witnesses or parties to the controversy. You should stand aloof from everyone except the prosecutor.
- R. Don't chew gum.
- S. Don't memorize any of your testimony.
- T. Never nod your head to indicate "yes" or "no"
- U. Speak up so that the judge, jury, counsel, stenographer, and others can hear you.
- V. Wait until the entire question is asked before

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answering.

- W. On cross-examination, don't look at the prosecutor.
- X. Keep your hands away from your mouth and face.
- Y. When addressing the court, use "your honor"; when addressing the attorneys, use their names.
- Z. At the conclusion of your testimony ask if you may be excused; then leave the courtroom immediately.

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Crime Laboratory Procedures

A. Laboratory Technique

1. All laboratory examinations begin at the crime scene depending upon the following:
 - a. Discovery of the evidence.
 - b. Collecting of the object or evidence or sample
 - c. Packaging of the object or sample
 - d. Transporting of the object
 - e. Actual laboratory examination
 - f. Chain of custody from the time the evidence was collected until trial
 - g. Exhibit in court

B. Collecting samples or objects for laboratory examination

1. Most of the time evidence will be collected by the deputy investigating the offense.
2. One of the greatest errors in collecting samples of evidence is not obtaining enough for examination.
3. Remember once you leave a crime scene in most cases any evidence left at the scene is deemed useless due to a break in the chain of custody, contamination of the samples, the evidence being destroyed (blood, etc)
4. Most police officers tend to believe laboratories can identify any sample using todays technology, this is not true.
5. Remember when collecting samples of evidence such as blood, etc., its like taking photographs you are better to have too much the not enough. This is especially true in FSRA paint samples.
6. When taking samples remember to take a blank sample: (example) collecting blood from carpet, cut out the stained area, and then cut out a area that is not stained. same with seat covers in a vehicle.

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C. Contamination of evidence

1. When collecting evidence remember to handle properly.
 - a. Do not bag evidence together.
 - b. Bagging evidence separately is timely, but to maintain a control on each article to avoid damage, all evidence should be kept separate
 - c. Example: Glass found at the scene of a FSGI, or FSRA should not be bagged with the sample taken from the suspect vehicle.
 - d. All evidence placed in a container should be labelled. Item number, date, time, location and case number and the name and i.d. of the officer collecting the article.
 - e. Also all articles of evidence should be marked for identification.
- evidence, regardless of whether for body fluid, latent, firearms, to prevent self destruction of your evidence.

D. Evidence

1. There are three (3) things you should know about evidence.
 - a. Identification - What is the evidence.
 1. This determination is generally made at the scene, but do not limit yourself. If you think its important, pick it up and preserve it. You can always discard it later.
 - b. Collection - How are you going to collect the object or sample?
 1. At this point you should be thinking about what you want to learn from the object or sample.
 2. Considering the above, you should consider how to collect the article.
 - c. Preservation - Keeping the evidence in its original state until you decide what you hope to learn.
2. Review: Evidence for laboratory
 - a. At the beginning protect your scene.
 - b. Search and locate the evidence, objects or

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samples

- c. Identify the evidence
- d. Photograph and sketch if possible
- e. Collect and mark your evidence
- f. When marking evidence use caution not to contaminate your evidence.
- g. Remember no laboratory can help you if your evidence is contaminated or destroyed. Also if you don't and can't prove the chain of custody, any laboratory results will be useless.

E. Collection and preservation of evidence for laboratory examination.

1. Blood

- a. The time of a crime cannot be determined by a blood stain.
- b. Wet blood could possibly tell you the offense occurrence was recently, blood at this point should be bright red and liquid.
- c. Blood stains may appear bright red in color to almost black.
- d. Whenever you have an item of evidence that is blood stained, unless the article is too large to transport, do not attempt to collect a sample. Preserve the item and bring it to the lab.
- e. Example for above: hammer, shovel, crow bar.

2. Wet blood

- a. Collect sample of wet blood with a piece of string by drawing the string through the wet stain. Collect enough... more than one piece of string.
- b. Also, keep a piece of the string you collect the blood on and submit the clean sample to the lab. This is done to determine if there is any chemical reaction from the string that would alter the laboratory results.
- c. You may use a piece of cotton or gauze. Remember to keep a clean piece for the lab.

3. Packaging the wet blood stain

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- a. Do not place the wet sample in an air tight container. This will cause the blood to putrefy and the blood will actually destroy itself, making the sample useless.
- b. Place the wet stain in a clean container. Leave the top of and allow it to air dry. Do not dry the blood in direct sunlight, the heat may also damage the wet stain.
- c. Place the blank sample in a clean container also, and never place it in the same container with the wet sample.
- d. Label the containers accordingly.
- e. If the suspected blood stain is on clothing, place it in a paper bag. This will allow the article of clothing to air dry. Do not bag more than one (1) item to a bag.
- f. Mark the item of clothing with your initials or the location of the identifying mark.
- g. Remember to collect enough. A good rule is to collect more than enough.

4. Dried Blood

- a. Dried blood will usually appear reddish brown in color to almost black.
- b. Collection procedures : you may use several different ways of collecting dried blood.
 1. Use a string by wetting the string with distilled water and pulling it through the dried stain until it is saturated.
 2. Place the string in a clean container and allow it to air dry.
 3. also wet a piece of the same string in the same water and submit it as a control sample.
 4. You may use cotton or gauze in the same manner to collect dried blood.
 5. You may not have water, string, or gauze available. In this case you can scrape the stain into a clean envelope or on a clean piece of paper for submission.
 6. Remember to mark the container without contaminating the sample. Note in your report the location of the sample.
 7. When you collect blood by scrapping, most of the time you will loose more then you collect. When ever it is possible try a different method of collection.

5. Semen Stains

Ft. Bend County Sheriffs Department
Identification Division

- a. Semen is collected in much the same manner as blood.
 1. Although dried semen is brittle and easily lost.
 2. Treat semen in the same manner as blood when drying. Allow to air dry.
 3. Semen, like blood will putrefy and destroy itself.
 4. You can expect to learn from semen: the presence of sperm and the blood type.
 5. When collecting what you believe to be semen stains:
 - a. bag each article of clothing separately and do not shake out the clothing. You may loose valuable trace evidence such as hair.
 - b. Allow to air dry.

6. Hair samples

A. Collection of hair samples

1. In most rape cases, examine the location of the rape for the presence of possible loose hair. Do not mix the samples.
2. When collecting hair samples from a person:
 - a. Alive or dead do not cut the hair, pull or comb it out.
 - b. When collecting hair samples, get atleast 15 to 20 strands of hair.
 - c. In sex offenses, the victim will usually change clothing. If the person has not done so, have them stand on a clean cloth when they change clothing to collect any trace evidence.
 - d. Remember to bag each item of clothing separately and examine the sheet for any loose hair.

B. What you can expect to learn from hair samples

1. If the sample is human or animal.
2. The race of the individual.
3. Possibly the part of the body the hair came from.
4. If the hair was pulled or cut.
5. If the hair can be matched in similarity and color.
6. If the hair has been dyed, treated, or bleached.
7. The hair itself can be matched identically

Ft. Bend County Sheriffs Department
Identification Division

to an individual thru the use of DNA testing. Only if enough pulled hair is submitted with follicle intact.

8. The laboratory will usually give one of the three following analysis:
 - a. The hairs match in terms of microscopic characteristic and that they originated from either the same individual or another individual whose hair exhibits the same microscopic characteristics.
 - b. Not similar
 - c. Non conclusive
 - d. Positive identification in DNA scan.

NOTE: In cases where hair is identified as animal, the lab can usually tell you the species of animal.

-
- a. Material weave pattern can possibly be matched.
 - b. Cases such as the imprints left on a vehicle in FSRA, but hits is not positive.

8. Paint

- a. Collection of Paint
 1. Collect as much as possible, usually done by scrapping. Make sure to get all layers. Don't worry about getting too much..
 2. Scrape paint from items such as vehicle fenders into a clean envelope.
 3. Paint on clothing should be preserved in a bag.
 4. What you can learn from paint samples.
 - a. Paint can be positively matched
 - b. Paint from a vehicle can tell the vehicle make and year.
 - c. Remember to mark the container you collect the sample in.

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Identification Division

Information about blood

1. What can you expect to learn from a blood stain?
 - a. Blood is physical evidence both real and circumstantial.
 - b. Blood itself, cannot be positively identified as coming from a particular person. Although it is now possible to positively identify a person with a blood sample through DNA.
 - c. Blood cannot tell you race, sex, or the age of the stain from which the sample was located.
 - d. Blood can tell you if it is human or animal.
 - e. You may learn the blood group and type.
 - f. You may learn from a blood stain if it contained alcohol, drugs, etc.
 - g. Blood is an important investigative aid in that it can now be submitted to DNA testing which is conclusive in the identification of the person that left the blood.



***FORT BEND COUNTY
SHERIFF'S OFFICE***

POLICY MANUAL

TROY E. NEHLS, SHERIFF



FORT BEND COUNTY SHERIFF'S OFFICE POLICY MANUAL

FORT BEND COUNTY SHERIFF'S OFFICE CODE OF ETHICS

As a member of the Fort Bend County Sheriff's Office, my fundamental duty is to serve the public; 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.

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 policies of the Sheriff's Office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will remain confidential unless revelation is appropriate in the performance of my duty and obligations to the Sheriff's Office and the public we serve.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to improperly influence my official decisions. I will enforce the law and perform other duties courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force.

I will accept no gratuity in exchange for or expectation of influencing my exercise of an official duty. I understand that the value of a gratuity that is accepted must never be contrary to legal or policy standards and should never be so large as to cause reasonable suspicion of an expectation of influencing my discretionary authority.

When my duties involve the exercise of care, custody, or control of a person I will exercise this duty with a professional demeanor while striving to protect the person, other employees, and the public from unlawful harm.

I will follow all lawful orders of superior officers and will participate in activities that support the efficient operation of the Sheriff's Office at all times.

I recognize that I am a public servant and will strive to always act in a manner that justifies the trust placed in me by the public by holding true to these ethics.



FORT BEND COUNTY SHERIFF'S OFFICE GENERAL ORDERS – TABLE OF CONTENTS

Revised: 03-20-15

Approved: Chief Deputy David Marcaurele *DM*



SECTION ONE		ESTABLISHMENT AND ORGANIZATION		Eff or Last Rev Date*
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SECTION SIX		SPECIALIZED FUNCTIONS		
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SECTION SEVEN		DETENTION OPERATIONS		
General Order #	07-01	Prison Rape Elimination Act Standards (PREA)		02-01-14
SECTION EIGHT		RECORDS MANAGEMENT		
General Order #	08-01	UCR Reporting and Case Management		03-10-14
SECTION NINE		OPERATIONS		
General Order #	09-01	Vehicle Pursuits / Call Responses		03-20-15
GENERAL ORDERS ISSUED PRIOR TO JANUARY 01, 2013 THAT ARE STILL IN EFFECT				
General Order #	3	Gus George Law Enforcement Academy		Prior to Jan 01, 2013
General Order #	8	Required Leave of Absence to Run for Office		Prior to Jan 01, 2013
General Order #	11	Use of Force (see also Special Order 2014-01)		Prior to Jan 01, 2013
General Order #	12	Firearms Use and Deadly Force (see also Special Order 2014-01)		Prior to Jan 01, 2013
General Order #	14	Technology		Prior to Jan 01, 2013
General Order #	15	Vehicle Inventory		Prior to Jan 01, 2013
General Order #	20	Complaint Investigations (page 1 only)		Prior to Jan 01, 2013
General Order #	22	Sexual Harassment and Discrimination		Prior to Jan 01, 2013
General Order #	27	Social Media / Networking		Prior to Jan 01, 2013
General Order #	28	Crime Scene Processing and Staff Notification		Prior to Jan 01, 2013
General Order #	29	Tactical Scene Operations		Prior to Jan 01, 2013
General Order #	30	Hostage and Barricaded Suspect		Prior to Jan 01, 2013
General Order #	36	Internal Affairs		Prior to Jan 01, 2013
General Order #	38	Media – Public Information		Prior to Jan 01, 2013
General Order #	42	Honor Guard		Prior to Jan 01, 2013

*Effective or Last Revision Date



FORT BEND COUNTY SHERIFF'S OFFICE GENERAL ORDERS – TABLE OF CONTENTS



Revised: 03-20-15

Approved: Chief Deputy David Marcaurele *DM*



SPECIAL ORDERS		
2014-01	Order Modifying portions of General Orders 11 & 12	Effective 12-31-14

GENERAL ORDERS REPEALED, RESCINDED, OR REPLACED				
			Replaced by: GO#	Date
General Order #	1	Department Organization	Sheriff's Order	01-01-13
General Order #	2	Written Directives System	Sheriff's Order	01-01-13
	N/A	Sheriff's Order Jan 01, 2013	01-01 & 01-02	05-15-13
General Order #	4	Code of Conduct and Appearance	02-01	08-01-13
General Order #	5	Personal Appearance, Grooming, and Dress	02-02	04-02-14
General Order #	6	OPEN (No longer applicable)	N/A	01-01-13
General Order #	7	Supervision (Duties and Responsibilities)	03-01	08-01-13
General Order #	9	Handling Violations Involving CHLs	Repealed	04-02-14
General Order #	10	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	13	OPEN (No longer applicable)	N/A	01-01-13
General Order #	16	New Employee Application, Testing, and Selection Process	04-01	04-25-13
General Order #	17	Probation and probationary status	Civil Service Rules	01-01-13
General Order #	18	Transfer of Employees	03-02	08-01-13
General Order #	19	Promotion of Employees	04-01	04-25-13
General Order #	20	Complaint Investigation and Disciplinary Procedures (pages 2 & 3 only)	Civil Service Rules	01-01-13
General Order #	21	Grievance Procedures	Civil Service Rules	01-01-13
General Order #	23	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	24	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	25	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	26	Emergency and Pursuit Operations	09-01	03-20-15
General Order #	31	Hazardous Entry and Arrest Team	N/A	03-01-13
General Order #	32	Search and Rescue Dog Team	N/A	03-01-13
General Order #	33	OPEN (No longer applicable)	N/A	01-01-13
General Order #	34	OPEN (No longer applicable)	N/A	01-01-13
General Order #	35	OPEN (No longer applicable)	N/A	01-01-13
General Order #	37	Fleet Safety Program	05-03	05-15-13
General Order #	39	Accident Review Board	05-03	05-15-13
General Order #	40	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	41	Other Employment	04-05	04-02-13
General Order #	43	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	44	RESERVED (No longer applicable)	N/A	01-01-13
General Order #	45	RESERVED (No longer applicable)	N/A	01-01-13

<p style="text-align: center;">GENERAL ORDER</p>  <p style="text-align: center;">SHERIFF SERVICE INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 05-15-13	# 01-01
	Section: Establishment and Organization	Replaces or Modifies: GO 1, GO 2, Sheriff's Order of 01-01-13
	Title: Organization and Policy System	
Issued by: Sheriff Troy E. Nehls 		

Purpose:

Establish the basic organizational structure and policy system for the Fort Bend County Sheriff's Office (FBCSO).

Policy Statement:

The FBCSO will deliver services based upon an organizational structure and policy system designed to provide an efficient use of taxpayer resources, a framework that fosters accountability, and an aid in conserving the peace in Fort Bend County.

Details and Procedure:

I. Organization and Management

- A. Sheriff – The elected head of the Sheriff's Office who answers to the electorate of Fort Bend County and who has the Constitutional and Statutory authority over all the operations and personnel of his/her Office.
- B. Sheriff's Office (this term is interchangeable as appropriate with the terms Department and Agency) – All functions, personnel, and assets under the authority of the Sheriff. The Office is under the command of the Chief Deputy. Any function that the Sheriff may by law designate to a Deputy is designated to the Chief Deputy, who may further designate authority as needed to most efficiently and effectively fulfill obligations.
- C. Only the Sheriff or Chief Deputy has authority to hire or terminate an employee.
- D. Sheriff's Command Staff is made up of the Captains who are Division Commanders, Majors, and Chief Deputy.
- E. Sheriff's Executive Staff is made up of the Majors and Chief Deputy.
- F. The following are the component organizational levels of the Office listed from highest to lowest [dependent upon it's functionality and scope a Task Force may fall into any of the below component levels]:
 1. Bureau
 2. Division
 3. Group
 4. Section, Unit, Team, Detail, Shift (all at equal component organizational level)
- G. Detailed function organization from Bureau level and below is documented in Attachment "A" to this General Order.

II. Policy System

A. A policy is a written document giving guidance and instructions that set the standards of operations and conduct for the FBCSO. The term policy is inclusive of the following:

1. General Orders - The highest ranking policies of the FBCSO. These set the overall operational and conduct expectations. These may only be issued by the Sheriff or Chief Deputy (this title may also be referred to as Chief in all policies). In conflict with other policies, these policies prevail unless specifically overruled by the Sheriff or Chief Deputy. A Special Order issued by the Sheriff or Chief Deputy is considered a form of General Order.
2. Bureau Manuals - The second highest ranking set of policies of the FBCSO. They are designed to provide more technical guidance on day to day operations. If a Bureau has need of a Manual the Bureau Commander will oversee its development and implementation. A Bureau Manual may be subdivided into Divisional/Group/Unit ... SOP's (Standard Operating Procedures) as needed. The issuing authority of a Bureau Manual is the Bureau Commander. The issuing authority on an SOP is a Division Commander. Prior to issuing a Bureau Manual / SOP it will be forwarded to all Majors for review and input. After this input it will be forwarded to the Chief Deputy for authorization to implement. Upon authorization, the issuing authority will enact the policy. Any employee performing a function covered by guidance found in a Bureau Manual / SOP is expected to follow said guidance.
3. Attachments to a policy are items that are more likely to be modified at a higher frequency than General Orders or Bureau Manuals. Modification to an Attachment requires the same issuing authority as the policy it is attached to; however, it can be revised without need for a revision to the policy it is attached to.

B. Policy Format, Supervisory Direction, Civil Service Statement, Versions, Practices, and Severability,

1. The format of General Orders, Bureau Manuals, SOP's, and attachments are to be approved by the Chief Deputy. All policies will carry the name, title, and signature or initials of the issuing authority and have an effective date upon them. All policies remain in force until modified or rescinded by competent authority (this is regardless of whether or not the issuing authority subsequently loses authority to issue or is reassigned).
2. ~~Supervisors may issue written or verbal direction on policy matters and implementation. This direction cannot modify or replace existing policy as this form of direction is solely designed to act as an aid in following existing policy. Questions on policy meaning that are not resolved should be forwarded through the chain of command. The final interpretation of policy meaning within the FBCSO is determined by the Chief Deputy.~~
3. Any policy that requires approval by the Civil Service Commission is not effective until this approval takes place. Only General Orders may deal with issues that need Civil Service Commission approval - if this approval is needed it will be stated within the General Order.
4. The official version of all General Orders, Bureau Manuals, and SOP's will be provided to and maintained by the Chief's Office. Bureau Commanders are responsible for disseminating new or revised policies and shall provide

documentation to the Chief's Office that employees have received the new or revised policy. In cases of conflicts concerning different versions of a policy, the Chief Deputy will make the final determination on these matters. Bureau Commanders shall insure that policies are available for viewing by employees under their command and may utilize electronic formats, paper copies, or other reasonable means to accomplish this mission.

5. All practices of the FBCSO are to be in compliance with policy. In cases where conflict is found, it should be reported through the chain of command for resolution.
6. If any part of a policy is determined to be invalid or unenforceable only that specific part is affected, the remaining element(s) of the policy are severable and remain in effect. Non substantive errors (examples include but are not limited to numbering, grammar, and spelling) do not serve to invalidate a policy. The Chief Deputy will make determinations and/or revisions on this topic.



General Order # 01-01 Attachment "A" Detailed Function Organization

Revised: 02-14-15

Issued by: Chief Deputy D. Marcaurele *DM*

Detailed function organization from Bureau level and below is as follows:

1. Bureaus
 - (a) Executive – Commanded by the Chief Deputy
 - (b) Administrative – Commanded by Major Norvell
 - (c) Detention – Commanded by Major Goodfellow
 - (d) Criminal Law Enforcement – Commanded by Major Hines
2. The Bureaus consist of the following organizational components:
 - (a) **Executive Bureau**
 - (i) Internal Affairs Division – Commanded by Captain Mosley
 - (01) Personnel assigned to conduct Internal Administrative Investigations
 - (02) Polygraph Unit
 - (ii) Narcotics Task Force (Group Organization Level) – Commanded by Lieutenant Dale
 - (iii) Public Relations (PIO)
 - (iv) Command Staff Administrative Assistants
 - (b) **Administrative Bureau**
 - (i) Support Division – Commanded by Captain Frazier
 - (01) Budget and Procurement Section
 - (02) Computer/Technology Section
 - (03) Fleet Management
 - (04) Inventory Control
 - (ii) Records/ID/Community Svcs Division – Commanded by Captain Hillegeist
 - (01) Records Section
 - (02) Evidence & Property Section
 - (03) ID Unit
 - (iii) Training/Academy Division – Commanded by Captain Burger
 - (01) Training Academy
 - (02) HR/Personnel Section (The Chief Deputy will deal directly with this section as needed to effectively administer the FBCSO)
 - (03) Youth Services and Crime Prevention Units
 - (iv) Emergency Management and Communications Division – Commanded by Captain Carter
 - (01) Emergency Communications Section
 - (02) Crisis Intervention Team (CIT)
 - (v) Reserve Division – Commanded by the Chief Deputy of Reserves Bayazitoglu
 - (01) Made up of those holding a Reserve Deputy Commission.
 - (02) Operational oversight provided by the Bureau where the Deputy is performing services.
 - (c) **Detention Bureau**
 - (i) Detention Operations – Commanded by Captain Brownfield (Director of Detention Operations)
 - (01) Administrative Section



General Order # 01-01 Attachment "A" Detailed Function Organization


Revised: 02-14-15

Issued by: Chief Deputy D. Marcaurele *DM*

- (02) Shift Personnel
- (03) Bailiff / Court Security Unit
- (04) Bail Bond & Commissary Units
- (05) Inmate Work Details
- (06) Evening/Night Management Liaison – Captain Jackson

(d) Criminal Law Enforcement Bureau

- (i) Patrol Division– Commanded by Captain Holtz (Director of Patrol Operations)
 - (01) Patrol Shifts
 - (02) Traffic Unit
 - (03) Contract Patrols
 - (04) Wrecker Permit Oversight
 - (05) Fugitive Apprehension Team (includes prisoner transport)
 - (06) Tactical Teams (SWAT)
 - (07) Alarm Unit
 - (08) Racial Profile Reporting & Citation Control Unit
 - (09) Livestock Unit
 - (10) Satellite Facility and Evening/Night Liaison – Captain Leach
- (ii) Criminal Investigations Division – Commanded by Captain Norrell
 - (01) Crimes against Persons Unit
 - (02) Crimes against Children and Elderly Unit
 - (03) Burglary and Theft Unit
 - (04) Fraud Unit
 - (05) Family Violence and Misdemeanor Investigations Unit
 - (06) Crime Analysis
 - (07) Crime Victim Liaison

 <p>GENERAL ORDER</p>	Effective: 05-15-13	# 01-02
	Section: Establishment & Organization	Replaces or Modifies: Sheriff's Order of 01-01-13
	Title: Code of Ethics	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

Establish the fundamental expectation of conduct for all Fort Bend County Sheriff's Office (FBCSO) employees.

Policy Statement:

The Sheriff has instituted the Code of Ethics as the highest ranking of any policy of the Sheriff's Office and in cases of conflict that are not issues of Law or required technical procedures will take precedence over other policies. While other more specific mission statements may be enacted, the primary mission statement of all employees is embodied in the Code of Ethics. All employees of the Sheriff's Office are expected to follow this Code of Ethics at all times

FBCSO Code of Ethics

As a member of the Fort Bend County Sheriff's Office, my fundamental duty is to serve the public; 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.

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 policies of the Sheriff's Office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will remain confidential unless revelation is appropriate in the performance of my duty and obligations to the Sheriff's Office and the public we serve.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to improperly influence my official decisions. I will enforce the law and perform other duties courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force.



I will accept no gratuity in exchange for or expectation of influencing my exercise of an official duty. I understand that the value of a gratuity that is accepted must never be

contrary to legal or policy standards and should never be so large as to cause reasonable suspicion of an expectation of influencing my discretionary authority.

When my duties involve the exercise of care, custody, or control of a person I will exercise this duty with a professional demeanor while striving to protect the person, other employees, and the public from unlawful harm.

I will follow all lawful orders of superior officers and will participate in activities that support the efficient operation of the Sheriff's Office at all times.

I recognize that I am a public servant and will strive to always act in a manner that justifies the trust placed in me by the public by holding true to these ethics.

<p style="text-align: center;">GENERAL ORDER</p>  <p style="text-align: center;">SHERIFF SERVICE DIGNITY FORT BEND COUNTY</p>	<p>Effective: 05-15-13</p>	<p># 01-03</p>
	<p>Section: Establishment & Organization</p>	<p>Replaces or Modifies: Sheriff's Order of 01-01-13</p>
	<p>Title: Civil Service</p>	
<p>Issued by: Chief Deputy D. Marcaurele </p>		

Purpose:

Establish the relationship between the Fort Bend County Sheriff's Office (FBCSO) and its Civil Service Commission.

Policy Statement:

The FBCSO operates under a Civil Service System as duly established under Chapter 158 (Subchapter B) of the Texas Local Government Code. The authority of the Civil Service commission is defined in this same chapter of the Local Government Code. The Sheriff retains all other authority not specifically given to the Civil Service Commission (CSC) to promulgate policy and make employment decisions of the FBCSO through direct or delegated action.

Details and Procedure:

- I. The Chief Deputy is designated with the primary duty of interacting with and presenting the interests of the FBCSO to the CSC. He/she may delegate authority in this matter as necessary.
- II. Lawful Rules of the CSC will be followed by all employees. Any question concerning the lawful nature of a CSC rule, action, or order will be forwarded through the chain of command to the Chief Deputy for resolution.
- III. Rulings issued by the CSC are not orders to any particular FBCSO employee. Actions to implement rulings will be ordered by the Sheriff or Chief Deputy only. The Chief Deputy is charged with reviewing all rulings by the CSC and coordinating the response/action to rulings (this may include but is not limited to obtaining a legal opinion, coordinating with other affected County Departments, and issuing appropriate orders).
- IV. Employee attendance at Civil Service Meetings (including regular, special, and appeals)
 - A. Employees attending a Civil Service Meeting in compliance with a subpoena from the Commission, officially representing the Sheriff's Office as authorized by the Chief Deputy, when specifically approved by a Major or higher ranking officer, and/or when he/she is the appellant of a disciplinary action to the Commission will be considered "on duty" for purposes of hours worked.
 - B. Employees attending a Civil Service Meeting for reasons other than those mentioned in IV.A. above will not be considered "on duty" for purposes of hours worked.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 3

SUBJECT: The Gus George Law Enforcement Academy

- I. **PURPOSE:** To establish the Gus George Law Enforcement Academy, and detail its organization, authority, and responsibilities.
- II. **POLICY:** The Gus George Law Enforcement Academy of Fort Bend County shall be a function of the Personnel and Training Division of the Sheriff's Office. It shall serve as the primary training provider for the commissioned peace officers of the Fort Bend County Sheriff's Office. It shall identify, develop, and discharge training programs which address the needs of the employees of the Department and the peace officers of Fort Bend County and neighboring jurisdictions. Training shall be discharged as mandated by the laws of the State of Texas and in accordance with the rules and regulations of the Texas Commission on Law Enforcement Officer Standards and Education

III. ACADEMY ORGANIZATION:


The Academy shall be organized as follows:

- A. **ACADEMY DIRECTOR** - This is a position appointed by the Sheriff and shall be an individual of Staff Rank within the Fort Bend County Sheriff's Department. The Academy Director must meet the standards and requirements set forth in T.C.L.E.O.S.E. rule 211.65 governing Academy Training Coordinators. The Academy Director shall be responsible for the overall operation of the Academy function, and shall report through the Department chain of command, as the specific situation warrants. The Academy Director will research, organize, and discharge programs which will address the training needs of the peace officers within the Academy service area. The Academy Director shall be responsible for the supervision of all assigned personnel at the Academy, and shall identify, evaluate, select and appoint the instructors who discharge the Academy training programs. The Academy Director shall assist in the selection of any other assigned personnel who work in the Academy function.
- B. **ACADEMY SERGEANT** - A position filled by an individual of Sergeant Rank within the Fort Bend County Sheriff's Department. This individual will assist the Academy Director in the discharge of the Academy function, including, but not limited to: instruction, the discharge of administrative duties, supervision of other assigned personnel, and other duties designated and assigned from time to time by the Academy Director. This position shall serve as second in command at the Academy and will report to the Academy Director
- C. **PERSONNEL COORDINATOR** - The Personnel Coordinator shall be responsible for administering the department's personnel processes to include recruiting, application, testing, selection of applicants, and salary administration. The Personnel Coordinator while assigned to the Academy will generally not be involved in training programs however, from time to time may be called upon to assist with training matters. The Personnel Coordinator shall report directly to the Director of Personnel and Training.
- D. **TEACHING ASSISTANT** - The Teaching Assistant shall assist the Academy Director and Academy Sergeant in their duties. The responsibilities include preparation of reports

and maintenance of records related to the Academy's training programs. The Teaching Assistant also coordinates certain courses and conducts lessons in the classroom. The teaching assistant reports directly to the Academy Director.

- E. **ACADEMY SUPPORT PERSONNEL** - One or more individuals assigned to the Academy to facilitate the discharge of Academy training and any other assigned functions. These individuals may be secretaries, clerks, or sworn personnel, and their selection and assignment shall be determined by the needs of the Fort Bend County Sheriff's Department and the Academy.

- IV. **AUTHORITY & RESPONSIBILITY** -The Academy shall have the authority to conduct such research and assessments necessary to identify the training needs of the Department and its service area and to therefrom develop training programs to address those identified needs. The Academy shall also schedule and discharge training programs in a meaningful and logical manner. It shall be the responsibility of the Academy and its Staff to maintain training records for all of its programs and students; to identify the training needs of its service area; to make reports to the Texas Commission on Law Enforcement Officer Standards and Education, as their rules and regulations dictate; and to discharge other duties and responsibilities deserving of a first rate law enforcement training facility, and as required by law and the policies of the Fort Bend County Sheriff 's Department.

<p style="text-align: center;">GENERAL ORDER</p>  <p style="text-align: center;">FORT BEND COUNTY</p>	<p>Effective: 01-01-13</p>	<p># 01-04</p>
	<p>Section: Establishment & Organization</p>	<p>Replaces or Modifies: Any previous Reserve Deputy Policies</p>
	<p>Title: Reserve Deputy Division</p>	
<p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>		

I. General

A. Purpose


The purpose of the Reserve Division shall be to support and assist the Fort Bend Sheriff's Office (the "Sheriff's Office"), under the orders and directions of the Sheriff. The Reserve Deputies shall render volunteer law enforcement service on any occasion when, in the opinion of the Sheriff, such services are justified. In addition, the Reserve Division shall augment the full-time Deputies in the interest of promoting the public welfare and safety.

B. Statutory Authority

The Sheriff, with approval of the Commissioners Court, may appoint Reserve Deputies pursuant to the Texas Local Government Code, Chapter 85.004.

C. Definitions

1. "Reserve Deputy" shall mean a Deputy commissioned by the Sheriff's Office and not on the Fort Bend County payroll as a full-time Deputy.
2. "Reserve Division" shall mean a collective reference to the Reserve Deputies.
3. "Chief Deputy" shall mean the Chief Deputy of the Fort Bend Sheriff's Office.
4. "Chief Deputy - Reserve Division" shall mean such Reserve Deputy designated by the Sheriff with responsibility for the overall command and operation of the Reserve Division.
5. "Reserve Division Policies and Procedures" shall mean the policies and procedures applicable to the Reserve Division as set forth herein.
6. "Sheriff" shall mean the Sheriff of Fort Bend County; however, references herein to actions or directions of the Sheriff shall include such actions and directions of the Chief Deputy of the Sheriff's Office and any other member of the Sheriff's Office Command Staff to whom the Chief Deputy - Reserve Division may report.


<p>GENERAL ORDER</p> 	Effective: 01-01-13	# 01-04
	Section: Establishment & Organization	Replaces or Modifies: Any previous Reserve Deputy Policies
	Title: Reserve Deputy Division	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

D. Applicability of the Sheriff's Office Policies and Procedures

1. Policy and Procedure Accountability. Each Reserve Deputy shall read and become familiar with all policies and procedures of the Sheriff's Office, including the Reserve Division Policies and Procedures. Violations of the Sheriff's Office policies and procedures may lead to removal from the Reserve Division.
2. Sheriff's Office Policies and Procedures Remain Applicable. All policies of the Sheriff's Office apply to Reserve Deputies, and each Reserve Deputy shall be held accountable for adherence to any and all rules, policies and regulations of the Sheriff's Office.
3. Conflicting Policies. In the event of any conflict between the Reserve Division Policies and Procedures and the policies and procedures of the Sheriff's Office generally applicable to all Deputies, the specific terms of the Reserve Division Policies and Procedures shall govern. Any directive from the Sheriff, the Chief Deputy or the Chief Deputy - Reserve Division shall overrule any Sheriff's Office policy or procedure.
4. Interpretation. The Chief Deputy - Reserve Division shall, subject to directives of the Sheriff, interpret and apply the Reserve Division Policies and Procedures.

E. Organization

1. Chief Deputy - Reserve Division. The Chief Deputy - Reserve Division shall be responsible for the overall command and operation of the Reserve Division.
2. Administration and Structure. The administration of the Reserve Division shall be the responsibility of the Chief Deputy - Reserve Division. The Sheriff may designate any position of command or responsibility deemed necessary or appropriate for the administration of the Reserve Division.
3. Chain of Command. The Chain of Command within the Reserve Division shall be: (1) Sheriff; (2) Chief Deputy; (3) Major - Administration; and (4) Chief Deputy - Reserve Division; and to the extent the Sheriff shall establish one or more of any of the following positions, (5) Captain - Reserve Division; (6) Lieutenant - Reserve Division; and (7) Sergeant - Reserve Division.

<p>GENERAL ORDER</p> 	<p>Effective: 01-01-13</p>	<p># 01-04</p>
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<p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>		


4. Reserve Division Rank. A Reserve Deputy appointed a rank shall perform those duties associated with such appointment to the extent they apply to the Reserve Division. While on assignment within a particular subject area (for example, patrol, criminal investigation, emergency management) or on a project in conjunction with full-time deputies, a Reserve Deputy regardless of rank shall report to the full-time, first-line supervisor, as applicable, for such subject area.

F. Personnel

1. Fully Certified. Applicants for the Reserve Division must be fully certified (an active peace officer license) with the Texas Commission on Law Enforcement Standards and Education.
2. Minimum Standards. Applicants for the Reserve Division must meet equivalent standards for appointment as with full-time Deputies and are subject to a regular background investigation, psychological examinations, and other screening processes.
3. Required Training. Reserve Deputies must complete all TCLEOSE required training within designated time frames. The Sheriff's Office will assist Reserve Deputies in the training function, and Reserve Deputies may take additional law enforcement training.
4. Indefinite Period. Membership in the Reserve Division will be for an indefinite period. Reserve Deputies serve at the will of the Sheriff and may be dismissed with or without cause.
5. Without Compensation. Reserve Deputies shall serve in their capacity without compensation and are responsible for all expenses, which shall not be reimbursable by the Sheriff's Office unless indicated by the Sheriff or the Chief Deputy.

G. Communication



Reserve Deputies are required to have a reliable phone number and e-mail address where they may be reached. They are also required to keep their home address, business address, telephone numbers and e-mail addresses current with the Sheriff's Office. Reserve Deputies are to notify the Chief Deputy - Reserve Division and any applicable supervisors of a phone or address change.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVING & PROTECTING DIGNITY FORT BEND COUNTY</p>	<p>Effective: 01-01-13</p>	<p># 01-04</p>
	<p>Section: Establishment & Organization</p>	<p>Replaces or Modifies: Any previous Reserve Deputy Policies</p>
	<p>Title: Reserve Deputy Division</p> <p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>	

II. Duties; Legal Parameters

A. General Duties



1. Authority. When serving on active duty at the call of the Sheriff or other competent authority, members of the Reserve Division will be entitled to all the powers and privileges of full-time Deputies and will be subject to all the duties, regulations and responsibilities thereof.
2. Required Duty Hours. All Reserve Deputies must work at least eight hours per month, preferably at least 16 hours. Duty time may be scheduled by a Reserve Deputy as directed by the Chief Deputy - Reserve Division or may be at the request of the Sheriff or other Sheriff's Office authority.
3. Leave of Absence. A Reserve Deputy may take a leave of absence upon approval of the Chief Deputy - Reserve Division. A Reserve Deputy on leave must turn in his badge and Sheriff's Office ID during the leave period.
4. Termination. Reserve Deputies resigning from the Sheriff's Office shall immediately notify the Chief Deputy - Reserve Division, in writing, of their intention to resign.
5. Meetings. Reserve Deputies are required to attend monthly meetings as directed by the Chief Deputy - Reserve Division. Absences may be excused, but only with prior notice to the Chief Deputy - Reserve Division or other supervisor.
6. Subject to Call Out. All Reserve Deputies are subject to call out for emergency situations.
7. Documentation. Reserve Deputies shall document all time worked as directed by the Chief Deputy - Reserve Division.
8. Prohibited Expenditures and Liability. No member of the Reserve Division may make an expenditure of money or incur liability in the name of Fort Bend County or the Sheriff's Office unless approved by the Sheriff, the Chief Deputy or the Chief Deputy - Reserve Division.

<p style="text-align: center;">GENERAL ORDER</p> 	Effective: 01-01-13	# 01-04
	Section: Establishment & Organization	Replaces or Modifies: Any previous Reserve Deputy Policies
	Title: Reserve Deputy Division	
Issued by: Chief Deputy D. Marcaurele 		

9. Vehicle Identification. No Reserve Deputy shall be permitted to install any emergency equipment or Sheriff's Office identification on his or her personal automobile. A Reserve Deputy shall not install a two-way radio with Fort Bend County emergency frequencies in a personal vehicle without approval of the Sheriff or the Chief Deputy.
10. Failure to Report as Assigned. Whenever a Reserve Deputy is unable to fill an assigned duty, such Reserve Deputy must immediately notify a supervisor. Failure to report as assigned or failure to notify in advance of any assignment may result in disciplinary action.

B. Off Duty


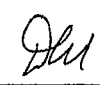
1. Authority Off Duty. Subject to below and subject to any Reserve Deputy on provisional status, as Reserve Deputies in the Reserve Division are "peace officers" as described by Article 2.12, Texas Code of Criminal Procedure, and pursuant to Section 85.004 of the Texas Local Government Code, a Reserve Deputy may carry a weapon and act as a peace officer at all times, regardless of whether the Reserve Deputy is engaged in the actual discharge of official duties. However, such statutory authority is hereby limited as follows: Reserve Deputies do not have authority pursuant to their appointment as such to initiate non-emergency law enforcement action while off duty. If a Reserve Deputy while off duty encounters an incident, not an emergency yet requiring law enforcement intervention, he should contact an appropriate law enforcement agency to respond.
2. Emergency Circumstances. When a Reserve Deputy, while not on active duty, comes upon an emergency situation that requires immediate action, the Reserve Deputy immediately becomes on duty. A Reserve Deputy, if possible, will first contact appropriate law enforcement authorities and render whatever aid necessary. On the arrival of appropriate law enforcement authorities, the Reserve Deputy (a) will identify himself and provide whatever information and assistance needed to support the responding law enforcement agency and (b) notify a Sheriff's Office supervisor as soon as possible.
3. Conduct Off Duty. A Reserve Deputy may carry a weapon, and Sheriff's Office identification, either concealed or unconcealed while off duty, however the Reserve Division preference is to carry concealed, and repeated and ongoing unconcealed display of either a weapon or identification may arise to grounds for dismissal.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVICE HONOR DIGNITY FORT BEND COUNTY</p>	Effective: 01-01-13	# 01-04
	Section: Establishment & Organization	Replaces or Modifies: Any previous Reserve Deputy Policies
	Title: Reserve Deputy Division	
Issued by: Chief Deputy D. Marcaurele 		

C. Regular Employment

The Sheriff's Office appreciates the valuable service provided by the Reserve Division. Many Reserve Deputies have regular employment as a source of income. Due to the high level of public trust and confidence associated with appointment as a peace officer, the following shall be strictly enforced. Interpretation and application of these policies are within the purview of the Sheriff, the Chief Deputy and the Chief Deputy - Reserve Division; while it is not possible to list every specific area of concern, examples are provided for edification.

1. Regular Employment That Creates an Inherent Conflict. No person may be a member of the Reserve Division if such person has regular employment that (a) is incompatible with appointment as a Reserve Deputy or (b) may place such person in a position of conflicting loyalties. Examples of regular employment that would bar membership in the Reserve Division include appointment to or employment with the Fort Bend County Commissioners Court; with any local judicial body, or as a criminal defense attorney.
2. Permitted Regular Employment. A Reserve Deputy may not act in any capacity as a Reserve Deputy, or enjoy the benefit of authority or privilege as a Reserve Deputy, to further the interests of any person, entity or employer (other than the Sheriff's Office). As a way of example only, possible conflicts may include the following:
 - a. Regular Employment as a Security Officer, Process Server, Private Detective, Personal Protection Guard, or Attorney. A Reserve Deputy with regular employment in any field closely related to law enforcement must take extra care to avoid any appearance that his actions in furtherance of such regular employment do not relate to or implicate the Sheriff's Office. During the course of such employment, a Reserve Deputy may not display a Sheriff's Office ID or badge or act under color of authority granted by the Sheriff's Office.
 - b. Use of Law Enforcement Information. The use of law enforcement restricted information for any purpose other than Sheriff's Office duties is prohibited.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVING THE COMMUNITY WITH INTEGRITY FORT BEND COUNTY</p>	Effective: 01-01-13	# 01-04
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- c. Displaying of Sheriff's Office Identification or Weapon. The unconcealed display of a weapon, carried under authority as a Reserve Deputy, or of Sheriff's Office identification while engaging in regular employment is not permitted outside of emergency circumstances.
- d. Regular Employment as a Peace Officer with Another Agency. A Reserve Deputy who has an appointment as a Peace Officer with another law enforcement agency shall not exercise authority as a Reserve Deputy during the course of such employment.
- e. Other Restrictions. The Sheriff, the Chief Deputy or the Chief Deputy - Reserve Division may provide further restrictions to a Reserve Deputy or to the Reserve Division.

D. Extra Job – Security

Texas law does not permit a Reserve Deputy to work extra jobs as peace officer without proper licensing from the Texas Commission on Private Security. No Reserve Deputy may work an extra job as a peace officer under authority of the Sheriff's Office.


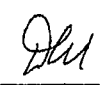
III. Provisional Status

A. Provisional Status

Based on the experience level of a Reserve Deputy, a Reserve Deputy may be placed on provisional status at the discretion of the Sheriff or the Chief Deputy - Reserve Division. In addition, a Reserve Deputy may be placed on provisional status for reasons including, but not limited to, inconsistent or inadequate performance, voluntary leave of absence, or failure to report as assigned.

B. Provisional Status

- 1. Newly Appointed Reserve Deputy. The Chief Deputy - Reserve Division shall review the experience level of each Reserve Deputy and may require conditions to being placed off provisional status, at the design discretion of the Chief Deputy - Reserve Division, appropriately tailored based on the experience of each newly appointed Reserve Deputy.

<p>GENERAL ORDER</p>  <p>Fort Bend County Sheriff's Office logo featuring a star in a circle with the words 'SHERIFF', 'SERVICE & PROTECTION', and 'DIGNITY' around it, and 'FORT BEND COUNTY' at the bottom.</p>	Effective: 01-01-13	# 01-04
	Section: Establishment & Organization	Replaces or Modifies: Any previous Reserve Deputy Policies
	Title: Reserve Deputy Division	
Issued by: Chief Deputy D. Marcaurele 		

2. Minimum Requirements. Typical conditions for removal of provisional status for a newly appointed Reserve Deputy without prior law enforcement experience shall include as a minimum:
 - a. appointment as a Reserve Deputy for at least six months and satisfactory completion of at least 150 hours of duty time, incorporating a diversity of assignments and tasks; and
 - b. completion of at least 40 hours of TCLEOSE training since initial appointment (over and above a basic peace officer certification class).

C. Limitations While on Provisional Status

A Reserve Deputy on provisional status:


1. may not ride alone and must ride along with a full-time Deputy or another Reserve Deputy (who is not on provisional status);
2. may not work assignments without supervision, unless directed by the Sheriff, the Chief Deputy - Reserve Division or other commanding officer;
3. may not rely on his status as a Reserve Deputy to carry weapons off duty; and
4. may not engage in law enforcement action while off duty.

IV. Other Policies and Procedures

The Sheriff or the Chief Deputy – Reserve Division may promulgate additional policies and procedures, including organizational announcements, administrative procedures, and other instructions from time to time. Such additional policies and procedures are deemed to be incorporated herein. Specifically, the following supplemental policies have been adopted:



A. Reserve Division, Patrol Policies and Procedures

Any Reserve Deputy serving within the Patrol Division shall comply with the Reserve Division Patrol Policies and Procedures.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVING THE COMMUNITY WITH INTEGRITY AND DIGNITY FORT BEND COUNTY</p>	<p>Effective: 01-01-13</p>	<p># 01-04</p>
	<p>Section: Establishment & Organization</p>	<p>Replaces or Modifies: Any previous Reserve Deputy Policies</p>
	<p>Title: Reserve Deputy Division</p> <p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>	

B. Organizational Chart – Detailed Chain of Command

Reserve Deputies may be sub-divided into groups for regular assignment reporting via organizational charts.

 <p>GENERAL ORDER</p>	Effective: 08-01-13	# 02-01
	Section: Conduct & Appearance	Replaces or Modifies: GO 4
	Title: Core Standards of Conduct	
Issued by: Chief Deputy D. Marcaurele		

Purpose:

To establish the core expectations of conduct for all Fort Bend County Sheriff's Office (FBCSO) employees.

Policy:

All employees will conduct themselves in a professional manner worthy of the trust placed in them by the public they serve. To aid employees in this mission these core standards of conduct are enacted and each employee is expected to adhere to these standards.

Definitions:

Core Expectations— The most essential and necessary expectations

Details and Procedure:

- I. Employees are subject to disciplinary action concerning the following behaviors (the title of the inappropriate action is followed by the description detailing the expectations of appropriate action and/or examples of inappropriate action):
 - A. **Violating FBCSO Code of Ethics** – Employees shall follow the Code of Ethics at all times. See GO #01-02 for details.
 - B. **Violation of Law** – Employees shall not violate the Laws of the State of Texas or its political subdivisions. Employees shall not violate Federal Laws. If any employee becomes a suspect in a criminal action, is arrested or charged with a criminal offense, becomes aware that a warrant or capias has been issued for the employee's arrest, and the offense is not for a Class C Misdemeanor non alcohol related traffic offense – the employee shall immediately report this to supervisory personnel for reporting through the chain of command to the Chief Deputy. If the offense is a Class C Misdemeanor non alcohol related traffic offense, the employee shall report this to supervisory personnel and this shall be reported through the chain of command to Division Commander (further reporting will be at the discretion of the Division Commander).
 - C. **Failure to follow Policy** – Employees shall follow the policies enacted by the FBCSO - this term includes General Orders (inclusive of Special Orders), Bureau Manuals, and Divisional SOPs. See GO #01-01 for details on the Policy System.
 - D. **Inappropriate Use of Force or Authority** – Employees shall only use the degree of force that is necessary to accomplish their legitimate duties in compliance with the law and the policies of the FBCSO. Employees shall not use the authority of their position to improperly influence anyone in order to obtain personal gain of any type or avoid the consequences of illegal activity. Employees shall not use the authority of their position to improperly influence any criminal or civil action, proceeding, or investigation.
 - E. **Neglect or Inattention to Duty** – Employees shall perform all duties required by law, policy, or direction from superiors for their particular position and shall execute these duties within the framework of the policies of the FBCSO and direction of supervisory personnel. Employees are to respond to and take appropriate action for all requests for

service in a timely manner. Employees are to be alert and ready to take appropriate action at all times when on duty. Employees will remain in their duty assignment and area in accordance with instructions given by supervisory personnel. Employees will not abuse break times when/if allocated during a tour of duty and those working in field assignments will not spend excessive time in places when or where they are not actively engaged in their assigned duties except as authorized by supervisory personnel. Employees shall not sleep while on duty unless it is an action approved by supervisory personnel in the furtherance of a legitimate agency need. Employees shall exercise diligence, proper demeanor, intelligence, and interest in the performance of their duties. Employees are expected to perform their assigned duties on their own initiative and employees who show a pattern of needing supervisory reminders to perform their assigned duties are demonstrating Neglect or Inattention to Duty. Employees who are Peace Officers carry the expectation to preserve the peace at all times whether on or off duty, failure to appropriately act in situations reasonably seen to require police action whether on or off duty is a violation of this standard.

- F. **Failure to Report for Duty** – Employees shall report for duty on time and at the appropriate place. Reporting for duty late or in the wrong place is a failure to report for duty. Being absent from work without first having supervisory approval of leave time is a failure to report for duty. An employee who is absent and fails to call in for 3 successive days to report the absence will be considered to have voluntarily terminated employment. It is not a violation if an employee is able to show that the reason for being late or absent was reasonably unavoidable, is not a pattern of such activity on the part of the employee, the circumstances were not caused by the employee's own carelessness or lack of foresight, and the employee notified supervisory personnel as soon as possible. Failure to report for assigned training is a violation of this standard in the same manner as failing to report for duty. During times of emergency, employees may be called to duty without prior notice - failure to timely report in these situations is a violation of this standard.
- G. **Insubordination** – Employees shall accept the authority of supervisory personnel in a respectful manner. Actions such as abusive language or displaying hostility towards any supervisor or public ridicule or criticism of any supervisor (including instructions or orders given) are insubordination. See GO #03-01 for further details on the supervisor-employee relationship. Public ridicule or criticism of the FBCSO Administration or its decisions is also insubordination. Public in this section includes but is not limited to social networks such as facebook, blogs, and twitter. The appropriate way to address concerns with supervision and administrative practices is through the grievance processes that are in place to provide employees an avenue for legitimate redress of inappropriate actions.
- H. **Disobeying a Lawful Order** – Employees shall follow all lawful orders issued by a superior. See GO #03-01 for further details on the supervisor-employee relationship.
- I. **Dishonesty** – Employees shall be truthful at all times and any dishonesty due to action or omission on the part of an employee is prohibited. Actions of this nature include but are not limited to falsifying any report, perjury, lying, fabricating evidence, knowingly withholding evidence, or not reporting actions of this nature concerning other employees to appropriate supervisory personnel. It is not dishonesty if the action involves legitimate investigatory techniques that do not otherwise violate policy or law.
- J. **Failure to Properly Care for Entrusted Property** – Employees shall provide appropriate care for any property entrusted to them in compliance with FBCSO Policies. Property categories include but are not limited to items owned by Fort Bend County;

items in custody of FBCSO (including but not limited to evidence); money; animals; real property; and personal belongings of persons under care, custody, or control of the FBCSO. Property destroyed, damaged, or lost as the result of negligence or carelessness on the part of an employee ; any misappropriation of property for personal use; failure to return County owned property upon request by a supervisor; and failure to follow policies on the handling of money collected in the course of FBCSO business are violations of this standard. Any damage, destruction, or loss of property by an employee will be reported by the employee to supervisory personnel so that a determination may be made concerning culpability under this standard and specific policies dealing with the care of property – failure to report damage is a violation of this standard.



- K. **Incompetence** – Employees shall obtain, maintain, and exhibit sufficient job knowledge to properly perform their duties and exercise their job responsibilities. Employees shall obtain, maintain, and exhibit a good working knowledge of FBCSO Policies and laws that pertain to their duty assignments. Failure to successfully complete training required for a position or duty assignment may be considered a form of incompetence.
- L. **Unfit for Duty** – Employees shall maintain their physical and mental condition to the degree necessary to perform any duty or assignment that may be normally expected or required. Upon presentation of facts supporting a belief that an employee is unfit for duty, the Chief Deputy may order a physical and/or mental examination to verify that the employee is fit for duty.
- M. **Cowardice** – Employees who are Peace Officers or Correctional Officers shall not display cowardice or fail to perform a duty due to cowardice. Cowardice is defined as a lack of courage in facing danger, pain, or difficulty.
- N. **Unprofessional Conduct** – Employees shall conduct themselves in a professional manner at all times. It is understood that employees will be put into situations that are stressful and demanding and at times will deal with irate and even irrational individuals, being professional yet resolute in handling these situations is imperative and nothing in this standard is meant to prohibit an employee from using reasonable strategies to deal with difficult situations and/or individuals. Some examples of unprofessional conduct may include but are not limited to abusive language, profane language, unwarranted threats of action, violating policies on dress and appearance, using their official position to solicit favors (including but not limited to gratuities and rewards) in a manner contrary to the FBCSO Code of Ethics, entering into debts that the employee should reasonably realize are beyond his/her ability to honor, not paying legitimate debts when the employee has the means to make payment, failing to provide appropriate financial support to dependents when the employee has the means to provide this support, and other actions that may be reasonably seen to have the potential to bring discredit to or harm the public image of the FBCSO or another employee of the FBCSO. This standard applies to interactions with all (public, coworkers, other agencies, etc...).
- O. **Misuse of Information** – Employees shall treat information collected, used, and/or maintained (no matter the format) as confidential and for official use only in accordance with law and FBCSO Policies on release / maintenance of information as further regulated by the Texas Public Information Act. Employees shall not use confidential information they obtain as a result of their position within the FBCSO to garner private gain of any type, in a manner that hinders any ongoing investigation or operation of the FBCSO (or other Law Enforcement Agency), or in violation of any law or policy concerning confidential information. Confidential information categories include but are not limited to information on active criminal investigations, information obtained from State or Federal databases, and information on law enforcement tactics dealing with

certain emergency tactical response procedures. Nothing in this standard is intended to prevent legitimate release of public information in accordance with law and FBCSO policy. In cases where there is dispute concerning release of information to the public the matter shall be referred through the chain of command to the Chief Deputy for resolution.

- P. **Inappropriate Relationship** – Employees are prohibited from certain relationship activities due to the negative impact potential on public safety and integrity of FBCSO operations. Employees shall not fraternize with, engage the services of, accept service from, or do favors for any person in the custody of the FBCSO (this prohibition also applies to family members of the person in custody and to persons being used as confidential informants). Employees who have or enter into a personal relationship with a person who is or becomes a suspect or victim in a criminal investigation will refrain from being directly involved in the investigation without specific supervisory approval and in all such cases will report any conflict to supervisory personnel. Employees shall not fraternize with known felons, gang members, or any other persons engaged in ongoing criminal activity (if an employee's relative fits this category, the employee shall report this immediately to supervisory personnel and while it is understood that there may be some interaction in these cases it is the employee's duty to insure that this relationship does not hinder the law enforcement or public integrity expectations of the FBCSO). Employees shall not act as an agent for or while performing their duties make recommendation of attorneys, bonding companies, or wrecker companies.
- Q. **Unauthorized Statements** – Employees shall not represent themselves as a spokesperson for the FBCSO or make public statements on behalf of the FBCSO unless authorized by FBCSO Policy. Public statements include those made in public gatherings; or for distribution via radio, television, or print media. Further, employees shall not use an official letterhead or similar instrument to convey messages except in accordance with legitimate FBCSO business needs and with the appropriate level of authorization either through existing policy or supervisory approval.
- R. **Failure to Provide Identification** – Upon request by any person an employee (whether on or off duty) shall identify himself / herself as an employee of the FBCSO and show official FBCSO Identification. Further, upon request by any person an employee will provide the name of his / her supervisor. This standard does not apply in emergency situations that do not immediately allow for such identification (when the emergency situation no longer exists identification will be shown if request is made), in situations where the employee is working in an undercover capacity, and in circumstances when doing so would have an adverse impact on a legitimate law enforcement purpose.
- S. **Inappropriate Involvement in Personal Disputes** - Employees should avoid involvement in personal controversies or neighborhood quarrels while off-duty. Employees should not take any police action unless the appropriate law enforcement agency is not immediately available or a situation requires immediate police action to protect life or property. Employees taking police action shall report said actions to a supervisor in a timely manner.
- T. **Violation of Drug and Alcohol Policy** – An employee violating the FBCSO policy on drugs and alcohol (see GO #03-04) is subject to disciplinary action.
- U. **Unauthorized Social Networking Practices** – Employees are prohibited from posting, transmitting, and/or disseminating the employee's official title; any report, photograph, video, or audio recording that is related to incidents investigated by or involving the FBCSO; a likeness or image of logos or emblems of the FBCSO; or badges, uniforms or other material that specifically identifies the FBCSO on any webpage, social networking or commercial site without authorization of the Sheriff or Chief Deputy. In addition a

violation of any other specific General Order on Social Media / Networking is a violation of this Core Standard of Conduct.

- V. **Inappropriate Communication Practices** – To assure a reasonable expectation of privacy concerning casual, business, and personal conversations - FBCSO employees will not audio or video record another FBCSO employee without the recorded employee's knowledge and consent. This prohibition does not apply to situations where the recording is in compliance with another policy that authorizes the recording or when ~~the recording is part of an action authorized by the Chief Deputy or Sheriff~~ due to an ongoing investigation of possible employee misconduct. Nothing in this section is to be interpreted to prohibit recordings by security cameras placed in County buildings / property. Nothing in this section is to be interpreted to allow recordings otherwise prohibited by policy or law.

<p style="text-align: center;">GENERAL ORDER</p> 	Effective: 04-02-14	# 02-02
	Section: Conduct and Appearance	Replaces or Modifies: GO 5
	Title: Personal Appearance and Uniforms	
Issued by: Chief Deputy D. Marcaurele		

Purpose:

To establish standards regulating personal appearance, grooming, and attire for all employees while on duty, on [or in] County owned property, or at any other time an employee's activities are involved in a matter where the Fort Bend County Sheriff's Office (FBCSO) is being represented.

Policy:

All Agency employees shall maintain high standards of personal appearance while representing the FBCSO.

Definitions:

County owned property – Includes vehicles (as defined in General Order 05-03) and properties/buildings owned or leased or used for conducting official business of Fort Bend County.

Uniform – Attire that is defined under this General Order (Section III) as an official uniform of the FBCSO. In addition to other situations, an employee is representing the FBCSO any time he/she is in uniform.

Details and Procedure:

I. Personal Appearance and Grooming

- A. Employees are to maintain good hygiene, including clean teeth, body, fingernails, and hair.
- B. Hair and Fingernails
 - 1. All employees will keep their hair neatly maintained in a manner that is consistent with a professional appearance. Hairstyles that do not serve the professional interests of a law enforcement agency are prohibited (examples include but are not limited to Mohawks, manipulating hair to create messages with hair or lack of hair, manipulating hair color with extreme variations from naturally occurring hair colors).
 - 2. General Standards specific to Male Employees
 - a. Sideburns will be neatly trimmed and will not extend below the bottom of earlobes. Muttonchops are prohibited.
 - b. Mustaches will be kept neatly trimmed and will not extend down over the upper lip or beyond the corners of the mouth; handlebar mustaches are prohibited.
 - c. Head hair will not extend past the top of the collar.
 - d. Nails will be kept clean and neatly trimmed. No coloring of nails or manipulation of nails to create any message that is visible to the public is allowed. Nail length may not exceed ¼" from the end of the finger.
 - 3. General Standards specific to Female Employees
 - a. While in uniform - Shall arrange hair so it does not extend below the "yoke" (horizontal seam across back of shirt, approximately at the top of the shoulders). Further, hair will not interfere with the proper wearing of the

uniform hat or the prompt and proper placement of protective head and/or face gear. Hair clasps or barrettes may be worn but must correspond with the colors of the uniform or employee's hair. Ribbons, bead or other decorative items will not be worn in the hair.

- b. Nails must be kept clean and neatly trimmed. Nails may only be colored using colors that do not tend to draw specific attention to the color and are complementary to the uniform color (or when not in uniform to the attire being worn). No manipulation of nails to create any message that is visible to the public is allowed. Nail length may not exceed 1/4" from the end of the finger.

C. Body Piercing

1. Piercing of the ears - Male employees are not authorized to wear earrings. No more than one "stud" type earring may be worn in each ear by female employees. No "loop" style earrings may be worn by female officers. These provisions apply to employees while on duty, on [or in] County owned property, or at any other time an employee's activities are involved in a matter where the Fort Bend County Sheriff's Office (FBCSO) is being represented.
2. Non ear piercing - Implements placed into body piercing of the face, head, tongue, mouth, or any other body part which is not concealed from public view (public includes other employees) while on duty, on [or in] County owned property, or at any other time an employee's activities are involved in a matter where the Fort Bend County Sheriff's Office (FBCSO) is being represented is prohibited.

D. Tattoos/Brands/Body Art

1. All tattoos/brands/body art which is not concealed from public view (public includes other employees) at all times is prohibited while on duty, on [or in] County owned property, or at any other time an employee's activities are involved in a matter where the Fort Bend County Sheriff's Office (FBCSO) is being represented.

E. Other Jewelry

1. While in Uniform necklaces shall be worn as to not be readily visible to the public. While not in Uniform necklaces that are visible to the public shall be professional in appearance and shall not be offensive to the public or fellow employees. In all cases only one necklace chain may be worn at any time with no more than two items attached to said chain. Further, chain length shall not be excessively long or short.
2. A maximum of two rings may be worn. Rings may not be worn on the thumbs.
3. A single wrist watch may be worn that is professional in appearance.
4. While in Uniform (male employees also follow this rule when not in Uniform), bracelets are not to be worn (except for a single medical ID type bracelet). Female employees not in uniform may wear up to two bracelets that are professional in appearance and do not hang too loosely from the wrist.

- F. Prohibited Images / Messages - No item may be worn or affixed to an employee that is visible to the public or fellow employees that carries an image or message generally associated with criminal elements of society (including but not limited to skull and crossbones, numbers / combinations of numbers images associate with drug or neo nazi /supremacist / fascist / communist movements).

G. Religious / Political Messages

1. Employees will not affix any form of religious or unauthorized political message / image to Uniforms in a manner that is visible to the public or fellow employees.
2. Employees will not display on or about their person an unauthorized political message / image in a manner that is visible to the public or fellow employees.
3. Exceptions

- (a) Only the Sheriff or Chief Deputy may make a determination that a political message is authorized for display under this subsection.
- (b) A ring worn in compliance with this General Order may display a religious symbol (if the symbol is professional in appearance).
- (c) A necklace worn in compliance with the General Order may display a religious symbol (if the symbol is professional in appearance).
- (d) An employee who contends that a reasonable accommodation should be made concerning his/her particular religious requirements should present this through his/her chain of command to the Chief Deputy for resolution.

H. Upon approval by the Chief Deputy employees may vary from certain aspects of Section I of this General Order (including but not limited to employees performing authorized undercover activities).

II. Non Uniform Attire

- A. Business Attire Standards will be followed by personnel when not in an approved Uniform except when the Sheriff or Chief Deputy has designated a day or days on which non uniform personnel may wear Casual Attire or a particular order to wear Casual Attire for a specific duty/function has been issued by a Bureau Chief or higher authority [these orders are by nature specific and of a particular duration].
- B. Business attire will be the standard dress for the following positions and functions:
 - 1. Criminal Investigations (CID) Personnel. CID personnel appearing in court shall wear business attire (including the tie and jacket) or a Class A Uniform.
 - 2. Personnel not on full duty status and not in an approved uniform.
 - 3. Civilian Employees not in an approved uniform.
 - 4. Employees performing administrative assignments as approved by Supervisory authority.
 - 5. Any employee attending training classes and not in an approved uniform - unless the instructor has directed other clothing due to a specific reason, such as physical activity.
 - 6. When an employee is not in an approved uniform and is conducting FBCSO business (including but not limited to meetings with citizen groups or professional organizations, on-camera interviews, court appearances).
- C. Business Attire Standards
 - 1. Suits, dresses or other outfits (female)- these should be fashionable and tasteful. The choice in design, attire and style should conform to standards normally subscribed to by office personnel in the private sector.
 - 2. Suits, or slacks and sport coat (male)- The basic colors should include, but not limited to navy, charcoal, gray and black. Other colors can be worn as long as they are fashionable and tasteful. A long sleeve shirt and tie as described below are to be worn to complete the attire.
 - 3. Shirts- Any colored long sleeve dress shirts that are fashionable and tasteful
 - 4. Ties- Ties should be fashionable and tasteful. The tie should coordinate with and enhance the attire.
 - 5. Socks- Socks should coordinate with the pants. White socks are prohibited unless worn with boots in which the socks are hidden.
 - 6. Footwear- Footwear should be clean and well maintained, with heels and toes in good repair. Normal business shoes include dress slip-ons (loafers), or lace-ups. Boots are acceptable, provided they are in good taste and are fashionable. Tennis/Athletic shoes and open toed shoes such as "flip-flops" or beach type sandals

are prohibited. Females may wear dress/casual sandals that or not "flip-flops" or beach type.

- D. Personnel in a Modified Duty Assignment (Temporary Transitional Assignment [per worker's comp] and Light Duty Assignment) will wear business attire with reasonable accommodation made that allows for performance of duties assigned and maintenance of a professional appearance. Variances from business attire must have prior approval of the Chief Deputy.
- E. Casual Attire Standards
 - 1. Shirts: Collars are required. Pull over and button up styles (short or long sleeves) are appropriate. The color and style should be fashionable, tasteful and professional.
 - 2. Pants: Slacks are preferred. Denim pants must be pressed and professional in appearance.
 - 3. Socks and footwear: Same parameters as Business attire.
- F. An employee performing peace officer duties in non uniform attire shall insure that he/she takes steps to avoid danger due to any person not being able to readily identify the employee as a peace officer. These steps include but are not limited to actions such as: wearing a badge that is readily made visible (example on belt underneath jacket coat) and/or wearing approved jackets (raid type, etc...) that readily identify the employee as a peace officer.
- G. Employees performing undercover operations are governed by unit SOPs (as in the case of the Fort Bend County Narcotics Task Force) subject to approval of the Chief Deputy. Other variances concerning these employees must have prior approval of the Chief Deputy.
- H. Upon approval by Division Commander or higher authority - personnel listed in this Non Uniform Attire Section may be authorized to wear an appropriate soft uniform as detailed in this General Order.

III. Uniforms

- A. All personnel of the FBCSO shall maintain issued regulation uniforms in accordance with this General Order. Employees shall wear only the prescribed regulation uniforms, personal equipment, personal accessories, and insignia of rank, buttons, or decorations, as approved under this General Order. Specifications of uniforms, personal equipment, accessories, and patches will be subject to the approval of the Chief Deputy. Uniforms will be kept cleaned, neatly pressed, and in good repair. Any alterations, other than hemming of the pants, must be approved through Division Commander or higher authority.
- B. When wearing the uniform, employees will be in full uniform, including all items that are designated as part of the uniform in this General Order. Administrative personnel while performing office duties may be in partial uniform at the discretion of Division Commander and higher authority.
- C. Class A Uniforms (Formal Uniform)
 - 1. The Class "A" uniform will be worn by officers attending funerals, court, or other designated special events, and will consist of the following:
 - a. Black dress shoes / boots
 - b. Black socks
 - c. Uniform pants
 - d. Long sleeve uniform shirt
 - e. Tan tie (Clip on/breakaway)
 - f. Brown Felt Hat (optional)
 - g. Standard belt gear

D. Class B Uniform (Standard Uniform)

1. The uniform shirt of the department will be solid brown in either short or long sleeve. With short sleeve shirts, either a black crew neck undershirt or a v-neck shirt (white or black) will be worn. With long sleeve shirts, the under shirt may be replaced by a black turtleneck or mock turtleneck which may have "sheriff" in gold letters embroidered in the center. The undershirt shall not show past the sleeve of the short or long sleeve uniform shirt.
2. The uniform pant will be an approved tan trouser or tan relaxed utility style.
3. ~~Hat- optional but if worn it must be regulation issue and will be worn in accordance with policy.~~ All uniformed personnel, who have been issued a hat(s), are to maintain said hat(s) for occasions when a uniform hat is worn.
4. Footwear will be solid black and well maintained. Certain boots, military style shoes, athletic shoes and other dress shoes are generally acceptable.
5. Socks will be black if the footwear is low quartered.
6. Standard belt gear will be worn as described in this General Order.

E. Class C Uniform (Soft Uniform – Peace Officer Positions)

1. Will consist of the following:
 - a. Black polo style shirt embroidered with the sheriff's office badge on the left side and on the right side the employees name (Last Name only) and the following:
 1. Captain and higher rank will have no division assignment – on these the rank will be embroidered before the name (may be above name if room requires).
 2. Lieutenant, Sergeants, Corporals will have Lt., Sgt., or Cpl. before the name and division assignment below the name.
 3. Investigator not assigned as ID Tech will have Det. before the name and division assignment below the name.
 4. Investigator assigned as ID Tech will have ID Tech before the name and division assignment below the name.
 5. All others will have name and division assignment below the name.
 6. Division assignments will be one of the following – INTERNAL AFFAIRS, NARCOTICS, SUPPORT SERVICES, CRIME SCENE UNIT, COMMUNITY SERVICES, RECORDS, TRAINING, EMERGENCY OPERATIONS, CIT, DETENTION, PATROL, CRIMINAL INVESTIGATIONS, WARRANTS, FIREARMS TRAINING, or RESERVES. {Any deviation from above must have prior approval of the Chief Deputy}
 - b. Black crew neck undershirt or black/white v-neck undershirt
 - c. Black belt
 - d. Tan relaxed utility style pants
 - e. Foot wear and socks that comply with Class B uniform
 - f. For positions performing field work – Approved duty weapon and holster, 1 extra magazine, and 1 pair of handcuffs
2. The FBCSO will not automatically supply Class C Uniforms. These will be issued on an as-needed basis with approval at the Bureau Commander level or higher.
3. Class C Uniforms are not to be worn for Secondary Employment without the prior approval of the Chief Deputy.
4. Peace Officer positions for purposes of this General Order are limited to the following: Sheriff, Chief Deputy, Major, Captain, Lieutenant, Sergeant, Corporal,

Deputy Sheriff, Detention Deputy [only those persons occupying a county budgeted Detention Deputy position], and Reserve Deputy Sheriff.

F. Class C Uniform (Soft Uniform - Non Peace Officer Positions)

1. Will consist of the following:
 - a. Polo style shirt in a color and with wording / logo approved by the Chief Deputy on the left side and the employee's name (Last name only) on the right side. The name format and division listing will follow the guidelines in III.E. of this General Order as applicable with the addition of the following options for division: PUBLIC INFORMATION OFFICER, CRIME ANALYST, CRIME VICTIM LIAISON, or ADMINISTRATION.
 - b. Black crew neck undershirt or black/white v-neck undershirt
 - c. Black belt
 - d. Relaxed utility style pants (in a color approved by the Chief Deputy)
 - e. Foot wear and socks that comply with Class B uniform
2. Emergency Communications Dispatch personnel will wear a uniform approved by the Chief Deputy.
3. The department will not automatically supply Class C Uniforms. These will be issued on an as-needed basis with approval at the Bureau Commander level or higher.

G. Class D Uniforms (Special Duty)

1. Motor Officer - FBCSO approved Black Leather motorcycle boots, pants, shirt, standard belt gear, helmet, coat, and rain suit
2. Livestock / Mounted Patrol - Standard class B uniform shirt, tan denim pants or utility style pants, alternate footwear may be approved by the division commander
3. Honor Guard - Listed in the Honor Guard SOP
4. S.W.A.T. / Negotiators - As directed by the West Fort Bend County Regional S.W.A.T. Commander and approved by the Chief Deputy.
5. Firearms Training Positions - While engaged in firearms training those persons approved by the Chief Deputy as range officers / firearms trainers / firearms proficiency officer may wear red colored shirts.
6. ID Techs and other special duty positions - As approved by the Chief Deputy.
7. Detention Division outside work crew Deputies - As approved by the Chief Deputy.

H. Accessories

1. Jackets (style, material, color as approved by the Chief Deputy).
 - a. Peace Officer positions - Will have agency patch on each sleeve, a badge patch on the front left chest and "Sheriff" on the back in gold letters. Lieutenants and above will display rank insignia on the epaulets of the jackets. Sergeants / Corporals will display rank insignia on the arms.
 - b. Civilian Detention Officers - May wear the same type jacket as Peace Officer Positions, but badge patch will indicate Correctional Officer.
 - c. Other Non Peace Officer positions - Will have wording / logo approved by the Chief Deputy on the left side and nothing on the back of the jacket.
 - d. Upon approval by the Chief Deputy certain Administrative positions may have jackets that vary from these standards.
 - e. Any raid type jackets will have design approved by the Chief Deputy.
2. The standard duty hat will be of western style straw or brown felt (styles / colors approved by the Chief Deputy). Straw hats may be worn year round with long or short sleeve shirts (except that the regular hat for Class A Uniforms will be felt).

Felt hats will not be worn with short sleeve shirts. No pins or other adornments will be affixed to these hats unless approved by the Chief Deputy.

3. In cold weather, Officers may wear head coverings such as knit head/ear covers, provided they are black or brown in color and are professional in appearance. Head coverings shall not have any insignia or logos on it with the exception of "Sheriff" embroidered in gold lettering.
 4. Rain gear design will be approved by the Chief Deputy.
 5. For the purpose of protecting officers from injury or the elements, black gloves are authorized year round. Gloves should be of a type that have a professional look and do not restrict the use of the hand and/or fingers.
 6. Officers who wish to provide their own accessories must meet the above criteria and have approval from Division Commander or higher authority.
 7. Baseball type caps are prohibited except as specifically approved by the Chief Deputy.
 8. Sunglasses will not be mirrored, will be of a neutral or black color, will not have a gaudy appearance, and shall be worn in a professional manner.
- I. Badge and Rank Insignia for Uniforms (except Class C [Soft Uniforms])
1. Badge- The approved badge for the employee's position will be worn over the left shirt pocket.
 2. Name Plate- The name plate will be worn over the right shirt pocket and will correspond with the color of the deputy's badge. The name plate will indicate Last Name only.
 3. Collar Brass- Consists of the initials S.O. and will be positioned diagonal to the point of the collar and approximately 1.5 inches from the point of the collar. The collar brass color should correspond with the badge and name plate.
 4. Any Law Enforcement Achievement Awards, Unit Assignment pins, or other items that have been approved by General Order and/or the Chief Deputy may be worn above the name plate – unless other direction is given in the authorizing document (General Order or order from the Chief Deputy).
 5. Buttons- Metal buttons will be affixed to the chest pockets and the epaulets. Their color will correspond with the color of the badge, name plate and rank insignia. Except for the honor guard uniform, metal buttons should not be worn anywhere else.
 6. The rank insignia for Corporal will be the 2-stripe chevron patch, yellow in color (to match the department's patch), and will be worn on the sleeves below the department's patch.
 7. The rank insignia for Sergeant will be the 3-stripe chevron patch, yellow in color (to match the department's patch), and will be worn on the sleeves below the department's patch.
 8. The rank insignia for Lieutenant will be a single gold bar worn on each side of the epaulets.
 9. The rank insignia for Captain will be a double gold bar on each side of the epaulets.
 10. The rank insignia for Major will be a gold Oak Leaf on each side of the epaulets.
 11. The rank insignia for Chief Deputy and Sheriff is designated and approved by the Sheriff.
 12. With prior approval by the Chief Deputy – badge, rank insignia, and/or name may also be embroidered or similarly sewn on.

J. Standard Belt Gear

1. The standard belt gear for the Fort Bend County Sheriff's Office is black Clarino River Style or Sam Browne Style belt (as approved by the Chief Deputy). Any gear to be worn on the outer belt should not detract from the uniform's appearance.
2. The following is the minimum required belt gear to be worn by uniformed Deputies.
 - a. Outer belt
 - b. Holster (with weapon)
 - c. Double Magazine pouch (with a magazine in each compartment)
 - d. Handcuff case (with a minimum of one pair of handcuffs)
 - e. Radio holder (if required)


K. Service Time

1. On Class A & B Uniforms an employee may display service time on the left sleeve of long sleeve shirts. Service time will be one diagonal stripe (with the lower end towards the front) for each completed 5 years of cumulative service as a Peace Officer and/or Jailer [as indicated by TCOLE records]. The bottom of the stripes will be approximately ¼" above the cuff of the sleeve.
2. Service Time stripes may also be worn on Class D Uniforms, but only on a uniform shirt that is similar to that of Class A & B Uniforms.

IV. Other Provisions

- A. Variances to this General Order shall have approval of the Chief Deputy.
- B. When not on active duty - weapons and items including but not limited to handcuffs should be carried in a manner that is generally concealed from public view.
- C. All articles of clothing/accessories purchased by the FBCSO shall be of a style, color, material, etc... that meets the approval of the Chief Deputy. The Chief Deputy will insure that the Sheriff maintains ultimate control over this important aspect of the FBCSO's public image. The Chief Deputy will delegate authority in this matter as he/she sees fit.
- D. Articles of clothing/accessories that are not purchased by the FBCSO are subject to the provisions of this General Order in cases where an employee uses them in association with any official duty concerning his/her employment or in any manner that serves to identify the employee as a member of the FBCSO.
- E. Body Armor
 1. FBCSO may purchase body armor for certain positions / personnel in the Agency. The type and style will be approved by the Chief Deputy.
 2. If body armor is purchased and supplied to an employee then the employee is to adhere to the following –
 - a. Will wear the body armor when the employee is performing duties on police patrol, bailiff / courthouse security, during transportation of prisoners or persons potentially in mental health crisis outside of a secure facility, during any type of raid or situation where there is a reasonable expectation of heightened danger, and any other time ordered to do so by supervisory personnel (this may be on a case by case basis or in compliance to a Bureau Manual / SOP).
 - b. Sergeants and higher ranking employees have the authority to waive the wearing requirements on a case by case basis for temporary situations including but not limited to an employee directing traffic at a major crash scene in the summer.

- c. The Patrol Division Commander may issue orders specific to periods of time during seasons of hot weather exempting motorcycle units from wearing body armor during routine police patrol activities.
 - d. Employees of Lieutenant rank and higher wear body armor at their own discretion.
 - e. Body armor will only be worn with a cover system approved by the Chief Deputy (including but not limited to style, color, and markings).
 - f. Employees wearing body armor that serves as an outer garment shall insure that at all times they are readily identifiable as a peace officer (including but not limited to the wearing of any tactical armor).
- F. Items of clothing/accessories purchased prior to the effective date of this General Order that are not in compliance with this General Order may still be worn unless an order to discontinue is given by Division Commander or higher authority.
- G. Nothing in this General Order is to be construed as to create a duty on the part of the FBCSO to provide any particular item of clothing or accessory. Items and accessories are purchased solely at the discretion of the FBCSO.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVING THE PEOPLE WITH INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 08-01-13	# 03-01
	Section: Management & Supervision	Replaces or Modifies: GO 7
	Title: Chain of Command and Supervision	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

To set standards concerning the chain of command and supervision within the Fort Bend County Sheriff's Office (FBCSO).

Policy:

All FBCSO Supervisory personnel are accountable for the actions of subordinates and insuring that the policies of the FBCSO are followed. All employees of the FBCSO are subject to the lawful direction and orders of higher ranking personnel. The Chain of Command is instituted to insure that supervisory personnel are afforded the greatest opportunity to effectively perform their duties at the lowest appropriate level of authority needed for any particular situation.

Details and Procedure:

I. Supervisors are persons occupying a position which carries an expectation to oversee activities of subordinate personnel and/or functions. This includes but is not limited to positions whose Job Description details supervisory duties.

II. Chain of Command

A. The Chain of Command is the hierarchy of supervisory authority within the FBCSO. The Chain of Command is as follows (1 being the highest authority):

1. Sheriff
2. Chief Deputy
3. Major
4. Captain
5. Lieutenant
6. Sergeant
7. Corporal
8. Investigator (while this is not a full time supervisory position it is expected that persons in this rank will provide guidance and instruction to lower ranking personnel in certain technical matters)
9. Non Peace Officer Supervisory Personnel

B. Each employee will be assigned a direct supervisor. This is where that employee's chain of command commences. Employees are expected to follow their chain of command concerning communication with higher authority with the following exceptions:

1. The communication is personal in nature and is not meant to address operational issues within the FBCSO, or
2. The communication is requested or otherwise authorized by a higher ranking authority, or
3. The matter involves a complaint of sexual harassment (in these cases the affected employee may make direct communication with the Chief Deputy or Sheriff and in a situation where the Chief Deputy or Sheriff is the subject of the complaint may make direct communication with the Fort Bend County Director of Human Resources), or

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4. The communication is necessary due to an emergency situation, or
5. The employee's direct supervisor is not available and no other supervisor of equal rank (of the direct supervisor) within the employee's assignment area is able to address the employee's need for communication.

III. Supervisory Duties and Responsibilities:


- A. Supervisors are responsible for insuring that the functions of the FBCSO that are entrusted by Law and Policy are carried out in an efficient and lawful manner.
- B. Supervisors may issue orders to subordinate personnel in order to fulfill his/her duties as long as the orders are lawful and within policy. Orders may include delegation of certain specified authority on an as needed basis. In giving orders, supervisors will use tact and remain professional (this is not to limit types of orders given during situations which by their nature require immediate action and therefore lesser degree of tact). If a supervisor delegates a task, this does not serve to eliminate the supervisor's ultimate accountability for the successful completion of the task.
 1. Delegation of authority may include designation of someone as "Acting" in a particular higher position. This form of delegation may only be made by a Bureau Commander or higher authority. This type of action is generally of a short duration (less than 15 days) and the affected employee will not have any change to his/her pay or benefits due to this temporary action.
 2. In cases where there is a need to designate someone as "Acting" in a particular higher position for a period longer than 14 days or in cases where law would require a temporary change to pay or benefits, these designations may only be ordered by the Chief Deputy or Sheriff.
- C. Supervisors shall not be relieved of responsibility in circumstances where the supervisor is not physically present unless the totality of circumstances shows that the supervisor was attentive to his/her duties and the absence was in keeping with normal operational procedures.
- D. Supervisors shall take all reasonable steps to insure that subordinates perform their duties completely, accurately, competently, professionally, and within policy.
- E. Supervisors shall strive to create and maintain high morale through proper display of enthusiasm to the work being performed, proper respect for higher authority, and professional demeanor towards subordinates.
- F. Supervisors shall obtain and maintain an excellent working knowledge of laws and policies related to their assignment areas.
- G. Supervisors shall provide those under his/her command regular interaction, positive feedback, instruction, constructive criticism, and disciplinary action – all as warranted.
- H. Supervisors are to regularly evaluate subordinates' work product in a fair, impersonal, and objective manner. When conducting written performance evaluations of subordinates, supervisors shall do so in a fair and accurate manner.
- I. Supervisors shall identify and address subordinates concerning poor performance or violation of policy. Supervisors shall document their findings and report to higher authority in compliance with policy on these types of actions. Supervisors are expected to intervene and take appropriate immediate corrective action on minor infractions and/or non recurring poor performance. In cases of serious ongoing policy violations supervisors are to immediately take action if necessary to insure the safety of employees / the public and report this to higher authority.
- J. Supervisors will maintain professional relationships with subordinates.

1. Supervisors shall strive to always maintain dignity and give instructions and direction in a manner that enhances the authority of their position through professional demeanor, action, and words.
 2. Supervisors who are married to or start / maintain a dating, romantic, or cohabitating relationship with an employee of the FBCSO shall immediately report this to the Chief's Office. This same reporting provision applies to a supervisor whose parent (including foster, step, and in-law); children (including adoptive, foster, or step); brother or sister; grandparent or grandchild; aunt or uncle; or niece or nephew is or becomes an employee of the FBCSO. Reporting will be done in compliance with the process established by the Chief Deputy.
 3. Whenever possible persons in such relationships (2 preceding) will not be in the same direct chain of command and a supervisor will not have a person in such a relationship reporting directly to him/her (to accomplish this, movement of personnel that is in the best interests of the efficient operation of the FBCSO may be enacted including but not limited to lateral transfers). Supervisory personnel in this type of relationship are responsible for insuring that any such relationship does not violate policies on sexual harassment and/or showing favoritism due to the relationship.
- K. Non peace officer supervisors will generally only have responsibility and authority over those employees assigned to them for direct supervision at any given time in accordance with guidance from the Division Commanders or higher authority.
- L. Supervisors shall also perform any specific supervisory duties found in other General Orders, Bureau Manuals, and/or Divisional SOPs.

IV. Employee duties concerning supervision

- A. Employees are expected to obey all lawful orders given by supervisory personnel above the employee [see II.A. of this General Order for hierarchy of supervisory authority] (supervisory personnel includes but is not limited to those persons who are acting in a supervisory capacity by virtue of delegated authority).
1. Employees receiving orders or commands which are in conflict with policy or with a previously issued order/command, shall respectfully address this conflict with the issuing supervisor. If the order is lawful, the employee shall follow the direction of the last order received.
 - (a) The last supervisor who commands or orders an employee in this type of a situation will assume responsibility for the action taken by the subordinate employee regarding the order. The employee will not be held accountable for disobeying the first order if they are ordered by another supervisor to take immediate action.
 - (b) Supervisors shall listen to subordinates who bring conflicting orders/commands to their attention and shall consider this information when making their decision.
 - (c) If the order is deemed unlawful the affected employee shall immediately notify a higher ranking officer.
 - (d) Orders that deviate from existing written or verbal orders may be issued in emergency situations (orders issued in emergency situations that are lawful and reasonable shall be executed immediately).
- B. Employees are expected to address supervisory personnel by their official title (examples: Sheriff, Chief, Major, Captain, etc...). At the discretion of a supervisor this requirement may be waived, especially in non public and informal situations. Non peace officer supervisory personnel may be addressed without the formality of title; however, as with all communication it should be in a professional manner.

- C. Employees shall refer to GO #02-01 (Core Standards of Conduct) concerning statements made about supervisory personnel and decisions.

<p style="text-align: center;">GENERAL ORDER</p>  <p style="text-align: center;">SHERIFF SERVING THE COMMUNITY WITH INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 08-01-13	# 03-02
	Section: Management & Supervision	Replaces or Modifies: GO 18
	Title: Duty Assignments, Transfers, and Seniority	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

To set standards on duty assignments and operational seniority within the Fort Bend County Sheriff's Office (FBCSO).

Policy:

Duty assignments will be based upon the operational needs of the FBCSO.

Definitions:

Duty Assignment – The particular duties, work hours (including shift and days off), organizational placement, and related issues of any position an employee is assigned to. Duty assignments may have a correlation with an employee's title and/or rank due to the nature of work being performed; however, within any particular title and/or rank there may be multiple duty assignments (example includes but is not limited to the following duty assignments within the rank of Sergeant – Patrol Shift, CID, Detention, Training Academy, etc...). Changes to an employees' duty assignment cannot create a change in the employee's pay grade or pay step (these changes are dealt with in promotions or demotions in compliance with FBCSO Civil Service Rules).

Lateral Transfer – A type of change in duty assignment. This term includes the term intra-office transfers as defined in FBCSO Civil Service Rule 6.02 as amended.

Details and Procedure:

I. Duty Assignment Details

A. The following are the home duty assignments for particular positions. The home duty assignment is the base assignment for the particular position, other assignments are generally specialized assignments.

1. Sergeant / Corporal – Patrol or Detention shift supervisor
2. Investigator – CID or Warrants
3. Deputy Sheriff (Includes Detention Deputy) – Patrol or Detention shift work (Detention shift work in this General Order refers to those assigned to the inmate housing function)
4. TCO Trainee, I, II, & Coordinator [Shift Leaders] – Emergency Communications shift work
5. DOC Trainee, I, & II – Detention shift work
6. Lieutenant and higher ranking positions do not have home duty or specialized assignments, they fill roles as determined by the Chief Deputy
7. All other positions fill roles as assigned

II. Specialized Assignments

A. Specialized Assignments are a form of duty assignment requiring special skills or specialized application of skills. They may either be a full or part time assignment.

B. Specialized Assignments may include but are not limited to:

1. ~~Traffic Unit~~
2. Livestock Unit
3. Crime Prevention / Youth Services Unit
4. Training Academy
5. Detention - Booking & Releasing and other specialized areas
6. Investigator IAD
7. Investigator Narcotics
8. ID Tech (Investigator)
9. Sergeant / Corporal in any assignment other than patrol or detention shift supervisor
10. Administrative / Support Duties within a Division or Bureau
11. SWAT (part time assignment)
12. Conducting Background Investigations (full or part time assignment)
13. K-9 Deputy
14. Crisis Intervention Team
15. Contract Deputy
16. Intake Deputy

III. Changes to Duty Assignments

A. The movement of employees between duty assignments (including but not limited to specialized assignments) other than those covered in III.B. of this General Order dealing with shift bids will be regulated by the following:

1. Lieutenants and higher ranking positions are placed into their assignments with approval of the Chief Deputy (the other procedures in this section do not apply to these ranks, except as specifically authorized by the Chief Deputy).
2. Movements that are within a Division will be approved by the Bureau Commander and communicated to the Chief Deputy.
3. Movements that are between Divisions or Bureaus will be approved by the Chief Deputy.
4. Movements that involve positions that are part of multi agency Task Forces or similar operational units will be approved by the Chief Deputy.
5. Movements will be based upon operational needs, as well as considerations of diversity, liability, special skills, and to promote harmony within the FBCSO. Movements may also be used to aid in the development of an employee by providing experience in different operational areas of the FBCSO. Movements will not be


- approved if there is sufficient evidence to show that the movement is solely based upon a malicious or capricious reason.
6. An open specialized assignment will be filled with an announcement of vacancy. In these cases the announcement will include the details on the assignment, any particular minimum qualifications, any duration limitations on the assignment, and the process to be used in filling the assignment. On a case by case basis the Chief Deputy may waive the vacancy announcement requirement.
 7. If a process for filling a specialized assignment does not result in the assignment(s) being filled due to reasons including but not limited to candidate(s) not passing the process or a lack of expertise in the field of candidates – the matter will be referred to the Chief Deputy who may then order appropriate means to fill the assignment(s) which may include but are not limited to entry level job postings or another appropriate process.
 8. An employee in a specialized assignment remains in that assignment until removed by competent authority.
 9. An employee who changes duty assignment must meet the training and performance expectations of the new assignment. If these expectations are not met the employee may be moved to a different duty assignment (based upon availability and overall Agency needs) or disciplined if appropriate.
 10. The Bureau and Division Commanders will insure that any processes used to aid in making determinations on lateral transfers are communicated to involved employees and are based upon job related factors.
 11. The Sheriff and Chief Deputy reserve the right to make any duty assignment (including specialized assignments and lateral transfers) by order without further process or by a different announced process if they determine it is in the best interests of the FBCSO.
- B. The movement of employees that consists solely of a change in work hours (including shifts that may also include a change in scheduled days off) will be regulated by the following:
1. In areas of the Agency where employees work different shifts, the Division Commanders are responsible for assigning employees to the different work hours and / or days off.
 2. The assignment of the actual numbers of employees on each shift and days off will be done based upon analysis of the workload. Prior to implementation of changes to the authorized number of personnel to any shift, change to the scheduled days off, or change to the scheduled hours worked each day (example going from a 10 hour shift to an 8 hour shift) the Bureau Commander will approve the Division Commander's plan.

3. Placement on shifts (work hours and days off) may be accomplished by assignment or a bid system.
 - i. If the Division Commander makes a change under this section by assignment, he/she will do so in compliance with the concepts found in III.A.5. of this General Order.
 - ii. Upon approval by the Bureau Commander, the Division Commander may institute a shift bid process. Corporals and higher ranking positions are not subject to a bid process unless authorized by the Chief Deputy.
4. In a shift bid process under this subsection, employees in an assignment not bidding (example a specialized assignment) are not automatically entitled to remove himself/herself from the assignment to participate in the bid. An employee wishing to participate in the bid must have approval from the Division Commander prior to the bid taking place.
5. Full Shift bid(s) for any particular group of employees under this subsection will take place no more than once each calendar year unless the Chief Deputy authorizes an exception.
6. Division Commanders may authorize partial bids (examples- limited only to evening shift personnel or filling an open position) in between or in place of full bid processes to deal with ongoing personnel issues including but not limited to new hires.
7. Bureau Commanders may authorize bidding restrictions due to certain operational needs (Example: the Detention Shift Bid may require that a certain number of Detention Deputies be on each shift. In this case the number of Detention Deputy slots on a bid will be determined and only Detention Deputies would bid on these spots based on the seniority standard in this General Order).
8. Bureau Commanders may authorize a shift bid within a specialized assignment if an operational need for such action exists.
9. Regardless of whether a shift bid process is in place, Division Commanders and higher ranking authority reserve the right to place any employee into any duty assignment on a case by case basis if it is in the best interests of the FBCSO.

- IV. Seniority for operational issues including but not limited to lateral transfers, shift/duty assignments, and shift/duty bids will be determined as follows:
- A. Seniority for all positions defined as entry level in the Civil Service Rules will be calculated using the continuous service time – agency wide principle (the number of years, months, and days of continuous service in a full time position with the FBCSO).
 - B. Seniority for positions higher than entry level will use the continuous service time – agency wide principle; however, the number of years, months, and days of continuous service will only be calculated for time in the employee's current and higher ranks. (Examples: A person makes Sergeant on 01-01-13

and has continuous service time as a Sergeant of 5 years [these equals 5 years seniority]. This same person then promotes to Lieutenant [seniority in the Lieutenant rank starts on the promotion date]. This same person spends 5 years as Lieutenant and then returns to Sergeant [seniority for this person returning to the Sergeant rank is now 10 years]. This provision only applies for current and higher ranking positions (If a person goes from Lieutenant to Sergeant and then back to Lieutenant, the seniority time in Lieutenant rank starts over).

- C. Seniority for a bid within a specialized assignment will be based on the number of years, months and days of continuous service in that particular specialized assignment.
- D. The Chief Deputy will determine final resolution in cases where seniority calculations result in a tie or where there is a question on calculations / definitions.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVING THE PEOPLE WITH INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 08-01-13	# 03-04
	Section: Management & Supervision	Replaces or Modifies: Sheriff's Order of 01-01-13
	Title: Drug and Alcohol Policy	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

To set standards on the use and possession of drugs and alcohol within the Fort Bend County Sheriff's Office (FBCSO).

Policy:

As a public safety organization involved in activities that many times require the highest need for mental and physical acuity, it is a high policy priority that all employees are free from the intoxicating effects of drugs and alcohol while performing duties.

Definitions:

Performing Duties – This term includes any time an employee is on duty (whether or not they are actually performing duty activities), whenever an employee reports for duty, any time an employee is operating county owned or leased equipment or vehicles, and any time an employee is acting pursuant to authority granted by their employment with the FBCSO (whether on or off duty).

Drug – Means any substance controlled under the Texas Health and Safety Code (THSC) and includes the term narcotics. This includes but is not limited to controlled substances, controlled substance analogues, and counterfeit substances as defined in THSC Section 481.002 as amended; dangerous drugs as defined in THSC Section 483.001 as amended; and simulated controlled substances as defined in THSC Section 482.001 as amended. Definitions concerning manufacture, sale, delivery, and possession of drugs are those found in the THSC.

Alcohol – Means an alcoholic beverage as defined in the Texas Alcoholic Beverage Code (TABC). Definitions concerning manufacture, sale, delivery, and possession concerning alcohol are those found in the TABC.


Under the influence of drugs or alcohol –

- (1) Not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body; or
- (2) Having a breath alcohol concentration of .02 or greater as determined by testing procedures found in Fort Bend County Policy 301; or
- (3) Having any amount of controlled substance or dangerous drug in the employee's body as determined by testing procedures found in Fort Bend County Policy 301.

Fort Bend County Policy – Policy found in the Fort Bend County Employee Information Manual.

Details and Procedure:

- I. Except in cases of conflict with Sheriff's Office Policy, the Fort Bend County Policy 301 (Drug and Alcohol Detection and Deterrence) is to be followed. An exception to County Policy 301 applies only to the extent of conflict and resolution of this conflict will be determined by the Chief Deputy or Sheriff.
- II. An employee performing duties while under the influence of drugs or alcohol is in violation of this General Order (see section IV of this General Order for issues concerning prescribed medication).
- III. Employees may not manufacture, sell, deliver, or possess an open container of alcohol (as defined in Texas Penal Code Section 49.031 as amended) or drugs while on duty, in a county owned or leased vehicle, or in a county owned or leased premises unless the action is pursuant to the employee fulfilling authorized duties and the action is not in violation of State Law.
- IV. It is not a violation concerning possession if a drug is a properly prescribed and used medication for the employee; however, an employee is responsible for following all precautions on prescribed medications. If an employee performs or attempts to perform duties in an impaired state due to medication and the employee's actions are a causative factor in an inability to properly perform their duties, damage to property, or injury to any person the employee is subject to discipline for violating this General Order.
- V. Only the Chief Deputy or Sheriff may order alcohol / drug testing in cases that are not mandated by other policy or where reasonable suspicion does not exist. If a test is performed under this authority it will consist of either a Department wide test of all employees or testing of specific groups of employees (one example of a group specific situation would be testing of all Narcotics Investigators).
- VI. The Chief Deputy will administer Sheriff's Office cooperation with random testing under County Policy 301. The Chief Deputy may delegate these duties as appropriate.
- VII. If a Supervisor has reasonable suspicion that an employee is under the influence of or possession of alcohol / drugs in violation of Policy he/she shall take action. Actions under this include but are not limited to:
 - A. Taking reasonable steps to reduce the risk of the employee harming himself/herself or others. This may include relieving the employee of active duty and ordering other actions consistent with Policy. An order relieving an employee of active duty must have approval of a Lieutenant or higher ranking officer of the Sheriff's Office.
 - B. Order the employee to submit to testing if applicable. Any order of this nature must have the approval of a Lieutenant or higher ranking officer of the Sheriff's Office.
- VIII. Any complaint or investigation into an allegation of a violation concerning alcohol /drug use or possession will be sent through the chain of command to the Chief Deputy. This includes but is not limited to any testing and test results.

<p style="text-align: center;">GENERAL ORDER</p>  <p style="text-align: center;">FORT BEND COUNTY</p>	<p>Effective: 10-01-14</p>	<p style="text-align: center;"># 04-01</p>
	<p>Section: Personnel</p>	<p>Replaces or Modifies: GO #04-01</p>
	<p>Title: Hiring, Promotion, and other Placements</p>	
<p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>		

Civil Service Statement:

Per Civil Service Rules the Fort Bend County Sheriff's Office (FBCSO) has authority to implement policy/procedures through the General Order process concerning the application and selection process for hiring (Civil Service Rule 1.05) and civil service classified promotions other than Corporal, Sergeant, Lieutenant, & Captain (Civil Service Rule 2.01 [B]). The Civil Service Rules do not apply to persons who do not meet the definition of a classified employee under Civil Service Rules and/or State Law (as such the FBCSO maintains full policy/procedure and related authority over these employees/positions).

Purpose:

Establish procedures for hiring, promotion, and other placements throughout the FBCSO consistent with Civil Service Rules.

Policy:

It is the policy of the FBCSO to base hiring upon the standards found in Rule 1.03 [Personnel Selection] of the Civil Service Rules. It is also the policy of the FBCSO to base promotions upon demonstrated merit consistent with the concepts found in the Civil Service Rules.

Administration:

The Chief Deputy is charged with oversight and administration of all aspects of this General Order. He/she may delegate specific responsibilities as needed to efficiently implement this General Order. No action under this General Order may commence or continue without authority of the Chief Deputy.

Only the Sheriff or Chief Deputy may hire, promote, or place an employee under this General Order.

Nothing in this General Order is to be construed or implemented in a manner that conflicts with the Budget of the Sheriff's Office as duly approved through the processes implemented by the Commissioner's Court of Fort Bend County.

Definitions:

Unless defined differently within this General Order the definitions of terms found in the Civil Service Rules shall apply to this General Order. The term Rule in this General Order refers to the Civil Service Rules.

The term County Policy in this General Order refers to those policies found in the Fort Bend County Employee Information Manual, unless stated otherwise.

Section One – Hiring and Initial Placements:

- I. This Section may be applied to filling vacancies in the following positions
 - A. All positions that do not require TCOLE licensing or certification
 - B. TCO Trainee, TCO I, TCO II, TCO III, Communications Shift Coordinator, and Communications Development Coordinator
 - C. Civilian Detention Officer Trainee, Civilian Detention Officer, and Civilian Detention Officer II
 - D. Deputy Sheriff (term includes Detention Deputy)
- II. Upon order of the Chief Deputy, a vacancy will be posted consistent with the posting policies found in County Policy 402. The posting will contain the minimum requirements for the position.
- III. A person meeting the minimum requirements must submit a completed initial application to the Human Resources Section of the FBCSO (FBCSO HR) prior to 10:00AM on the next business day following the final day of the posting period.
- IV. All initial applications submitted within the timeframe above will be reviewed and if the applicant meets minimum requirements will be moved to the next step in the process. In addition to not meeting minimum posted requirements an application may be rejected due to any reason listed in the Rejection Criteria (as approved by the Chief Deputy).
- V. After review / approval of an initial application the applicant will proceed to any applicable testing. Testing standards will be those determined for the vacant position as approved by the Chief Deputy after consultation with Fort Bend County Human Resources. An applicant who passes the test standard(s) or applicant for a position without a test standard will move to the next step in the process. An applicant not passing the applicable test standard(s) will be rejected.
- VI. Applicants forwarded from V preceding, will next be required to fill out a Personal History Statement (PHS) [also referred to as the long application]. This will be obtained from the FBCSO HR. Applicants in a particular process will be given instructions on due dates for the PHS, along with any deadline for picking up a PHS. When a PHS is issued it will be given a due date for return – the due date will be between 7 and 14 working days so long as the time allowed is the same for all applicants in a particular process. If a PHS is not returned in the timeframe allotted the applicant may be rejected.
- VII. FBCSO HR will present all the PHS's received in the timeframe allotted to the Captain over the Academy, who will have the PHS's reviewed and determine if they meet any of the Rejection Criteria. The Captain has discretion to allow an applicant to make a correction to his/her PHS if the Captain determines any discrepancy found is not the result of intentional misrepresentation or overall incompetence. The Captain over the Academy will forward applications to the Chief Deputy noting results of his/her review. The Chief Deputy will determine whether an applicant is rejected or proceeds in the process.

VIII. Applications and PHS's not rejected in Section One IV – VII will then be processed under this subsection.

- A. A Review Board will be selected by the Chief Deputy. It will consist of a total of 5 members. A Lieutenant or higher ranking officer will be named to chair the Board. The Board will all be of equal or higher rank to the position being reviewed. No member of the Board may be a relative of any applicant being reviewed (see Civil Service Rule 2.01 (L) for definition of relative). FBCSO HR will provide support to the Board Chairperson.
- B. The same Review Board may be used on more than one hiring-/ placement process at the discretion of the Chief Deputy.
- C. The Review Board will meet and review the applications and PHS's. Based upon this review, the Board will compile a list of all applicants they determine suitable to continue in the process – ranking them in order of preference. This action will require a majority vote of the Board. If the Board by majority vote recommends that an applicant be rejected, this will be communicated to the Chief Deputy along with reason for rejection. The Chief Deputy may accept the recommendation and in this case the applicant will be rejected. If the Chief Deputy does not accept the recommendation for rejection, the applicant will be placed on the suitable list in lowest order of preference (in cases where more than one applicant fits this situation order of preference between these applicants will be determined by the Chief Deputy). The number of applicants being reviewed will be determined on a case by case basis by the Chief Deputy.
 - (1) The order of preference will then be adjusted by the following:
 - (a) The applicant with the highest preference will be assigned the number 50, as the list goes to the lowest preference this base number of 50 will be reduced by 1 for each candidate (ex 50, 49, 48, 47, etc...)
 - (b) If an applicant meets following criteria, the associated number will be added to the preference number
 - (i) Currently employed by the FBCSO – 1 per year full time paid service based on seniority definition in the Rules to a maximum of 5.
 - (ii) The highest one of the following [only one allowed]:
 1. TCOLE Intermediate Certification - 2
 2. TCOLE Advanced Certification – 4
 3. TCOLE Master Certification – 5
 4. Associates Degree – 2
 5. Bachelors Degree – 4
 6. Masters Degree – 6
 7. Doctorate Degree – 8
 - (iii) Military Service [Reserve or Active Duty] (currently serving or Honorably Discharged) – 4
 - (iv) If the position requires licensing from TCOLE as a Peace Officer – 1 per year full time licensed peace officer experience to a maximum of 5 points. Applicants whose job description does not require a TCOLE Peace Officer License do not qualify for these points.
 - D. Based on the order of preference in preceding element (from highest final number to lowest number), the Chief Deputy will determine the number of positions that will move forward in the process and order applicable background investigations.
 - E. If the Chief Deputy orders that a review board conduct an oral interview of applicants in a particular hiring process –
 - (1) The process for formulating questions and scoring will follow that found in Section Two (III)(B)(2) of this General Order.

- (2) The number of applicants before any review board will be determined by the Chief Deputy.
- (3) An applicant scoring below 70 on the oral interview may be rejected by the Chief Deputy.
- (4) The review board will rank the candidates based upon the scoring assigning a number as in Section One (VIII)(C)(1)(a) above and the process will follow from there as described under Section One (VIII).

IX. The results of the background investigation (including any polygraph exam) will be presented to the Chief Deputy for final approval. Applicants not rejected will move forward in the process.

X. The Chief Deputy will consult with the Bureau Commanders on those applicants who have passed all of the processes in Section One preceding. The Chief Deputy may also seek input from Division Commanders as applicable. The Chief Deputy will then authorize a conditional job offer to the applicant(s) chosen to fill the vacancy(ies). Once the process reaches this point, provisions of County Policy 402.08 (Job Offers) apply.

XI. Rejections and exclusion periods resulting from a rejection will be those found in the Civil Service Rules or the Rejection Criteria. If an exclusion period is not defined for a rejection, then the period is one year from the date of application. In addition any person who is rejected twice (in consecutive attempts) in the Review Board Process (VIII preceding) will not be allowed to participate in the process for one year. The Chief Deputy may issue a waiver or modify a Rejection Criteria issue on a case by case basis.

XII. The provisions of Civil Service Rules 1.04 through 1.12 will apply to the process in Section One unless there is conflict. In cases where the applicant is currently employed by FBCSO some of these processes will not be applicable. In cases of conflict or questions of applicability the Chief Deputy will determine the course of action to follow based upon the best interests of the FBCSO.

XIII. If the Chief Deputy determines it is in the best interest of the FBCSO, vacancies in positions described in Section One (I)(A)(B)(C)(D) above may be filled without a Review Board Process (VIII preceding) or a modified review board process. In these cases the Chief Deputy will determine a process on a case by case basis consistent with the concepts found in Civil Service Rule 1.03.

XIV. If the Chief Deputy determines it is in the best interests of the FBCSO, an eligibility list may be created from a process. If a list is created, the duration and other criteria of the list will be stated on its face.

Section Two -- Promotions:

I. This Section applies to the positions described in Civil Service Rule 2.01 (B). These include but are not limited to Investigator [includes any assignment in this rank such as CID, Narcotics, Warrants, ID, etc...].

II. The Chief Deputy will order a promotional posting be done by FBCSO HR. The posting will include the minimum qualifications of the position (as detailed in the Job Description). All requirements must have been met at least five (5) working days prior to the posting date.

- A. In addition to the minimum qualifications applicants for promotion under this Section must have completed at least twenty-four (24) months of cumulative service within the past thirty (30) months as an employee of the FBCSO.
- B. A person who is not an employee of the FBCSO may be eligible to participate in the promotional process if they have completed at least twenty-four (24) months of cumulative service within the past thirty (30) months in a position equivalent to the requirement in II.A preceding within a Law Enforcement Agency similar in scope to the FBCSO. Outside employee eligibility will be determined on a posting by posting basis as determined by the Chief Deputy. Equivalency and similarity in scope will be determined on a case by case basis by the Chief Deputy. If a person who is not a current FBCSO employee is placed into the promotional spot under this Section applicable actions concerning new hires must be met prior to actual employment (including but not limited to minimum standards for hiring).
- C. Applicants for promotion must not be on any form of probation, unless the Chief Deputy issues a waiver determined on a case by case basis.
- D. The process and timelines for making application for promotion will be detailed in the posting.
- E. Challenges to eligibility will be addressed to the Chief Deputy, who will make final determination on action.
- F. Only applicants meeting the initial minimum requirements may move on to the Competitive Process.

III. Competitive Process

A. Written Testing

- (1) After consultation with Fort Bend County Human Resources the Chief Deputy will determine if a written test will be included in a particular promotional process. If testing is to be done the candidates will be given at least 14 calendar days preparation time prior to the test being conducted.
- (2) If a written test is to be conducted, the Chief Deputy will assign responsibility for creation and review of the test for his/her approval. This test may be created by FBCSO personnel or may be from an outside vendor.
- (3) Written examinations will consist of questions formulated to test the applicant in overall and job specific knowledge. Depending on the position involved, questions may include, but are not limited to: Criminal Law, Traffic Law, Law Enforcement Practices and Procedures, Civil Law as Applicable, Texas Jail Standards, Departmental Policies and Procedures, Supervisory and Managerial Philosophies and Current Events. A list of any relevant study materials and sources will be published by the FBCSO HR. Test construction shall be not less than fifty (50) questions, nor more than two hundred (200) questions.
- (4) The Captain over the Academy, assisted by FBCSO HR will administer the written test and present results to the Chief Deputy.
- (5) A candidate may file an appeal regarding any question on the test. To do so, he or she must first answer the question. Upon completion of the test the candidate must submit his or her appeal in writing to the Chief Deputy by the first working day after the test is administered. The Chief Deputy will review the issue and

make a determination. Should a change be approved, it will be made for all those testing.

- (6) Upon request by a candidate, the FBCSO HR will inform the candidate as to how many questions were missed in each category. A review of the test and answer sheet by the candidate is not permitted.
- (7) A passing score on a written test is at least 70% correct answers on the test (rounding up to determine the pass/fail line is as follows - 69.45 will round up to 70 / in other cases the score is rounded to the hundredths place, 89.455 rounds to 89.46). The top 10 candidates making a passing score will proceed in the process. If upon determination of the Chief Deputy a sufficient number of candidates do not pass the test, he/she may order that the candidates with the highest scores proceed to the Review Board (up to a maximum of 10).

B. Review Board

- (1) The Review Board will be selected and serve for a period of time as described in Section One of this General Order.
- (2) The Chief Deputy will assign responsibility for creation and review of questions and/or assignments to be examined by the Review Board for the Chief Deputy's approval. Creation/review may be by FBCSO personnel or may be from an outside vendor.
 - (a) The content of the questions and/or assignments shall reflect the requirements of the position and will consist of questions formulated to test the applicant in overall and job specific knowledge. Depending on the position involved, questions may include, but are not limited to, basic job related knowledge, situational reasoning scenarios, human relations situation scenarios, career initiative, and employment history. Additionally, the applicant may be asked to write a short essay and/or create a presentation to be scored by the Review Board.
 - (b) The questions and/or assignments will be weighted so that the maximum score a candidate can achieve will be 100.
 - (c) The lowest score of Review Board members' votes will be removed and the remaining scores added together and then an average obtained. This will be rounded to the hundredths place (89.455 will result in 89.46). For a Review Board member's vote to be considered he/she must have been present for all candidates appearing before the Board in a given process. Candidates whose average score is under 70 may be rejected the Chief Deputy (upon rejection the candidate does not proceed in this process).

IV. Creation of Eligibility List and Promotion from List

A. Eligibility List in processes that include a written test will be the cumulative score as detailed below with the highest score ranked first with lower scores following



- (1) Score on written test (maximum 100)
- (2) Score from Review Board (maximum 100)
- (3) Total of following points (maximum 18)
 - (a) Currently employed by the FBCSO – 1 per year full time paid service based on seniority definition in the Rules to a maximum of 5.
 - (b) The highest one of the following [only one allowed]:
 1. TCOLE Intermediate Certification - 2
 2. TCOLE Advanced Certification – 4
 3. TCOLE Master Certification – 5
 4. Associates Degree – 2

5. Bachelors Degree – 4
 6. Masters Degree – 6
 7. Doctorate Degree – 8
- (c) If the position requires licensing from TCOLE as a Peace Officer – 1 per year full time licensed peace officer experience to a maximum of 5 points. Employees whose job description does not require a TCOLE Peace Officer License do not qualify for these points.
- (4) The highest score possible is 218. In the event of a tie on the final score, the employee's seniority as defined in the Civil Service Rules will be used to determine order. If there is still a tie, the Chief Deputy will determine order.
- B. Eligibility List in processes that do not include a written test
- (1) The process detailed in IV.A preceding will be followed with the exception of removing the score on the written test.
 - (2) The highest score possible will be 118.
- C. The Chairperson of the Review Board, assisted by FBCSO HR will oversee the Review Process and present issues / results to the Chief Deputy for action / approval.
- D. The eligibility list will be a ranking of candidates from highest to lowest based on the results of the competitive process. The eligibility list will contain on its face the expiration date of the list.
- (1) For each vacant promotional position applicable to an eligibility list, the Chief Deputy will promote the highest ranking eligible candidate.

Section Three – Other Placements:

- I. This Section applies to filling vacancies in the following positions / situations
- A. TCO II and TCO III (may also apply to movement from TCO Trainee to TCO I)
 - B. Civilian Detention Officer II (may also apply to movement from Civilian Detention Officer Trainee to Civilian Detention Officer)
 - C. Any other position where movement from one position to another may create a higher pay status, but whose criteria for movement is not based upon a significant change in job duties and is primarily based upon a defined achievement of service time and/or training/educational benchmarks.
 - D. Reclassification of a position class to a higher status.
- II. Procedure for positions identified in Section Three (I)(A)(B)&(C) of this General Order
- A. The Chief Deputy shall order that any vacancy in these positions be filled based upon seniority (per Civil Service definition) from the eligible candidates as determined by meeting the benchmarks for advancement to the position found in the Job Description.
 - B. An employee otherwise eligible may be passed over for movement if he/she is on any type of probation (with the exception of Trainee Positions) or is subject of a disciplinary action process greater than Written Reprimand at the time the position is filled.
- III. Procedure for positions identified in Section Three (I)(D) of this General Order
- A. The Sheriff's Office may determine that a certain classification needs to be changed or raised to a higher classification due to the actual duties performed by persons in the classification or other reasons that promote the efficient operation of the Sheriff's Office and are consistent with the concepts found in the Civil Service Rules.
 - B. If this determination is made, it must have budgetary approval from Commissioner's Court prior to implementation.

- C. Placement allowed under this General Order only applies to placement to the next highest classification (ex Corporal to Sergeant) and may not involve greater upward movement (ex Corporal to Lieutenant).
- D. Placement allowed under this General Order must be applied across an entire classification and cannot be used to place only one or a select group of employees within a classification except when the movement is part of a multi-year plan that is provided by the Sheriff's Office to the Civil Service Commission designed to accomplish the complete reclassification in a manner that reduces overall budget impact in any given year. Movement of employees will be done according to seniority as defined in the Civil Service Rules. Regardless of other factors, an employee who does not meet the minimum requirements of the higher position as detailed in the position's Job Description cannot be moved into that position.
- E. Nothing in this General Order prohibits the Sheriff's Office from making reclassifications to unoccupied positions or positions exempted from Civil Service.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVICE & PROTECTION DIGNITY FORT BEND COUNTY</p>	Effective: 05-15-13	# 04-02
	Section: Personnel	Replaces or Modifies: Sheriff's Order of 01-01-13
	Title: Employees Exempted from Civil Service	
Issued by: Chief Deputy D. Marcaurele 		

Purpose:


To set standards concerning positions exempted from the civil service system.

Policy:

The Sheriff may use discretionary authority granted in the Texas Local Government Code Section 158.038 to exempt certain positions from the civil service system.

Details and Procedure:

- I. The Sheriff will notify the Civil Service Commission of all positions exempted from the civil service system.
- II. The Chief Deputy will maintain the current list of all exempted positions and will administer provisions concerning this topic.
- III. Employees occupying exempted positions are subject to the following:
 - A. Chief Deputy – Appointed at the sole discretion of the Sheriff.
 - B. Other exempted employees – Appointed by the Sheriff upon recommendation of the Chief Deputy.
 - C. Serve at the pleasure of the Sheriff per Texas Local Government Code Section 85.003 (c).
 - D. The following range of disciplinary action
 1. Verbal or Written Counseling
 2. Written Reprimand
 3. Suspension with or without pay for any period of 1 day to 365 days
 4. Demotion
 5. Termination
 - E. May be placed on non-disciplinary administrative leave with or without pay for any period of 1 day or longer.
 - F. Seniority within each rank will be determined by the Chief Deputy.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVICE INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 09-04-13	# 04-03
	Section: Personnel	Replaces or Modifies: N/A
	Title: Law Enforcement Contracts	
Issued by: Chief Deputy D. Marcaurele		<i>DM</i>

Purpose:

To set standards concerning Agreements for Additional Law Enforcement Services as authorized by Fort Bend County Commissioners Court.

Policy:

When the Sheriff deems that it is in the best interests of the overall provision of law enforcement services to the citizens of Fort Bend County, he/she may agree to provide additional law enforcement services under the terms and conditions authorized by Commissioners Court in an approved written Agreement with the entity receiving the services.

Definition:

For purposes of this General Order the terms Law Enforcement Contract and Contract mean an Agreement for Additional Law Enforcement Services as authorized by Fort Bend County Commissioners Court.

Details and Procedure:

I. Operational Standards

- A. The Bureau Commander over Criminal Law Enforcement is charged with overseeing the execution of the terms of service provision in the Contracts in an efficient manner.
- B. The Bureau Commander over Administration is charged with coordinating the processes associated with maintaining and/or obtaining Contracts regarding budgeting, interactions with Commissioners Court, and similar issues.
- C. The Bureau Commanders mentioned above will keep each other, the Chief Deputy, and Sheriff apprised of progress and issues concerning Agreements.

II. Existing FBCSO Contract Renewals and Terminations

- A. The Bureau Commanders over Criminal Law Enforcement and Administration will provide recommendation to the Chief Deputy and Sheriff on renewal and/or termination issues based upon operational and administrative efficiencies.
- B. The Bureau Commander over Administration will coordinate the process for renewals and terminations insuring that deadlines are met and keeping the Chief Deputy and Sheriff apprised on necessary actions.
- C. Only the Chief Deputy or Sheriff may authorize final action to renew provision of service under a Contract or terminate provision of service under a contract.



III. Movements of Contracts between Agencies

A. In cases where a Contract exists in Fort Bend County with a service provider agency other than FBCSO and for whatever reason that Contract's service provision is subsequently taken over by the FBCSO, the following provisions apply:

1. In instances where there are 90 or less calendar days interruption of Contract coverage (interruption means a time period where a Contract is no longer in effect due to termination as defined in the particular Contract) or where there is to be no interruption of Contract coverage (only a transition from another agency to the FBCSO by execution of a new Contract), the Chief Deputy will cause a review of the circumstances surrounding the Contract, a review of the peace officers most recently performing the duties under the Contract, and an interview with the entity the Contract services are being provided to. Based upon this review the Chief Deputy may authorize hiring as entry level Deputy Sheriffs one or more of the peace officers who were most recently performing the Contract services (prior to hire these peace officers must meet minimum Deputy Sheriff hiring criteria as found in the Job Description for Deputy Sheriff and pass other testing / examination requirements approved by the Chief Deputy consistent with General Order #04-01 as applicable). Determination of pay rates for these entry level positions will be consistent as applicable with processes followed for transfers between County Departments as administered by Fort Bend County Human Resources.

2. In instances where there are over 90 calendar days interruption of Contract coverage (interruption means a time period where a Contract is no longer in effect due to termination as defined in the particular Contract), the Chief Deputy will fill positions with lateral movements of personnel or posting of a job opening (or a combination of actions) consistent with provisions of General Order #04-01. This section may also be used to fill positions covered in III.A.1 of this General Order above at the discretion of the Chief Deputy if he/she determines it is in the best interests of the FBCSO.

B. In cases where a Contract exists where the FBCSO is the service provider and for whatever reason the Contract is terminated or in any manner the service provider becomes another agency – movement of the Deputy Sheriff(s) in these contract positions at the time the action occurs will be accomplished by movement into open positions through lateral transfer(s) or in cases where no open positions exist in accordance with Civil Service Rules (Rules 3.00, 3.01, and 3.02 as amended).

<p>GENERAL ORDER</p> 	Effective: 09-04-13	# 04-03
	Section: Personnel	Replaces or Modifies: N/A
	Title: Law Enforcement Contracts	
Issued by: Chief Deputy D. Marcaurele 		

Purpose:

To set standards concerning Agreements for Additional Law Enforcement Services as authorized by Fort Bend County Commissioners Court.

Policy:

When the Sheriff deems that it is in the best interests of the overall provision of law enforcement services to the citizens of Fort Bend County, he/she may agree to provide additional law enforcement services under the terms and conditions authorized by Commissioners Court in an approved written Agreement with the entity receiving the services.

Definition:

For purposes of this General Order the terms Law Enforcement Contract and Contract mean an Agreement for Additional Law Enforcement Services as authorized by Fort Bend County Commissioners Court.

Details and Procedure:

I. Operational Standards

- A. The Bureau Commander over Criminal Law Enforcement is charged with overseeing the execution of the terms of service provision in the Contracts in an efficient manner.
- B. The Bureau Commander over Administration is charged with coordinating the processes associated with maintaining and/or obtaining Contracts regarding budgeting, interactions with Commissioners Court, and similar issues.
- C. The Bureau Commanders mentioned above will keep each other, the Chief Deputy, and Sheriff apprised of progress and issues concerning Agreements.

II. Existing FBOSO Contract Renewals and Terminations



- A. The Bureau Commanders over Criminal Law Enforcement and Administration will provide recommendation to the Chief Deputy and Sheriff on renewal and/or termination issues based upon operational and administrative efficiencies.
- B. The Bureau Commander over Administration will coordinate the process for renewals and terminations insuring that deadlines are met and keeping the Chief Deputy and Sheriff apprised on necessary actions.
- C. Only the Chief Deputy or Sheriff may authorize final action to renew provision of service under a Contract or terminate provision of service under a contract.

III. Movements of Contracts between Agencies

A. In cases where a Contract exists in Fort Bend County with a service provider agency other than FBCSO and for whatever reason that Contract's service provision is subsequently taken over by the FBCSO, the following provisions apply:

1. In instances where there are 90 or less calendar days interruption of Contract coverage (interruption means a time period where a Contract is no longer in effect due to termination as defined in the particular Contract) or where there is to be no interruption of Contract coverage (only a transition from another agency to the FBCSO by execution of a new Contract), the Chief Deputy will cause a review of the circumstances surrounding the Contract, a review of the peace officers most recently performing the duties under the Contract, and an interview with the entity the Contract services are being provided to. Based upon this review the Chief Deputy may authorize hiring as entry level Deputy Sheriffs one or more of the peace officers who were most recently performing the Contract services (prior to hire these peace officers must meet minimum Deputy Sheriff hiring criteria as found in the Job Description for Deputy Sheriff and pass other testing / examination requirements approved by the Chief Deputy consistent with General Order #04-01 as applicable). Determination of pay rates for these entry level positions will be consistent as applicable with processes followed for transfers between County Departments as administered by Fort Bend County Human Resources.
2. In instances where there are over 90 calendar days interruption of Contract coverage (interruption means a time period where a Contract is no longer in effect due to termination as defined in the particular Contract), the Chief Deputy will fill positions with lateral movements of personnel or posting of a job opening (or a combination of actions) consistent with provisions of General Order #04-01. This section may also be used to fill positions covered in III.A.1 of this General Order above at the discretion of the Chief Deputy if he/she determines it is in the best interests of the FBCSO.

B. In cases where a Contract exists where the FBCSO is the service provider and for whatever reason the Contract is terminated or in any manner the service provider becomes another agency – movement of the Deputy Sheriff(s) in these contract positions at the time the action occurs will be accomplished by movement into open positions through lateral transfer(s) or in cases where no open positions exist in accordance with Civil Service Rules (Rules 3.00, 3.01, and 3.02 as amended).

	GENERAL ORDER Effective: 04-02-14	# 04-04
	Section: Personnel	Replaces or Modifies: N/A
	Title: TCOLE Appointments Issued by: Chief Deputy D. Marcaurele 	

Purpose:

To establish standards regulating issuance of Texas Commission on Law Enforcement (TCOLE) Appointments by the Fort Bend County Sheriff's Office (FBCSO).

Policy:

The FBCSO issues TCOLE Appointments in compliance with Texas State Law and the rules and regulations of TCOLE. All employees with a TCOLE appointment from the FBCSO are responsible for maintaining requirements concerning licensing set by Texas State Law and TCOLE. Only the Sheriff or Chief Deputy may make a TCOLE Appointment.

Details and Procedure:

I. Positions Requiring an Employee to be an Appointed Peace Officer

- A. The following paid positions have as a requirement that the employee be an appointed peace officer by the FBCSO -
 - 1. Chief Deputy
 - 2. Major
 - 3. Captain
 - 4. Lieutenant
 - 5. Sergeant
 - 6. Corporal
 - 7. Investigator (all assignments)
 - 8. Deputy Sheriff and Detention Deputy
 - 9. Any other position whose approved Job Description lists a requirement to be appointed as a peace officer
- B. The Sheriff is a peace officer in an elected official capacity and is bound by the Laws of Texas (Constitution and Statutes) and applicable TCOLE Rules and Regulations.



II. Positions Not Requiring an Employee to be an Appointed Peace Officer

- A. All paid positions not listed in I.A. of this General Order do not require that an employee be an Appointed Peace Officer.
- B. The Chief Deputy may appoint an employee covered under II.A. of this General Order as a peace officer if he/she determines that the appointment is beneficial to the FBCSO in creating and maintaining a pool of potential candidates for placement into Deputy Sheriff or Detention Deputy positions.
- C. An appointment as peace officer under II.B. of this General Order is:
 - 1. Not a benefit of employment or a condition of continued employment (in that this appointment is not a job requirement for the position the employee occupies).
 - 2. Subject to revocation at any time with or without cause.
 - 3. Will not be considered until an employee finishes the placement probationary period (as defined in the Civil Service Rules). The Chief Deputy may waive this requirement on a case-by-case basis if he/she deems it in the best interests of the FBCSO.

- D. The following regulations apply to employees appointed as peace officers under II.B. of this General Order –
1. Guidelines applicable to all such appointees –
 - (a) If an employee occupies this appointment for a period greater than 5 years without moving into a position listed in I.A. of this General Order, the Chief Deputy will review the status of this appointment and may revoke the appointment if in his/her determination the continuation of the appointment is not in keeping with the purpose described in II.B. of this General Order.
 2. Guidelines applicable to employees appointed prior to 05-01-14 –
 - (a) Employees in the Detention Bureau are allowed to wear a Deputy badge as their regular duty uniform badge.
 - (b) All other employees will wear the badge / uniform designated by their Bureau Commander (in compliance with General Order 02-02).
 - (c) Other practices concerning these employees that existed prior to the initial effective date of this General Order remain in effect unless otherwise counter to this or another General Order or modified by future orders.
 3. Guidelines applicable to employees appointed on or after 05-01-14 –
 - (a) Will wear uniform / badge [or other emblem(s)] associated with and in the manner of non peace officer employees in their budgeted position while performing duties for the FBCSO in their regular employment capacity.
 - (b) Will be issued a Deputy badge and ID. The employee will also retain his/her ID and/or badge associated with his/her budgeted position. The employee will use the Deputy Sheriff ID/Badge only in appropriate situations requiring said use (including but not limited to necessary use of peace officer powers, working an approved law enforcement outside employment per General Order 04-04...).

III. Other TCOLE Related Guidelines

- A. The Chief Deputy is designated to perform all functions as the FBCSO's Agency Administrator as allowed by Law and TCOLE Rules and Regulations.
- B. An employee whose Job Description requires a TCOLE appointment or whose job function meets the requirements for an appointed position under TCOLE Rules and Regulations that fails to meet the requirements to maintain his/her appointment / license is subject to disciplinary action up to and including termination and revocation of appointment in accordance with Civil Service and General Order Procedures.
- C. Reserve Deputies are appointed at will and a Reserve Deputy that fails to meet the requirements to maintain his/her appointment / license as a Peace Officer is subject to disciplinary action up to and including revocation of appointment.
- D. Persons who are not direct employees of the FBCSO (employed by other Fort Bend County entities or contractors doing business with FBCSO) may be given a TCOLE appointment if the Chief Deputy determines it is in the best interests of the FBCSO and appointment is allowed under TCOLE Rules and Regulations. Such appointments are at will and subject to revocation at any time. Other stipulations/rules concerning this subsection will be enacted / enforced by the Chief Deputy.

<p style="text-align: center;">GENERAL ORDER</p> 	Effective: 04-02-14	# 04-05
	Section: Personnel	Replaces or Modifies: GO 41
	Title: Outside Employment	
<p>Issued by: Chief Deputy D. Marcaurele </p>		

Purpose:

To set standards concerning outside employment.

Policy:

Fort Bend County Sheriff's Office (FBCSO) Employees are allowed outside employment only in situations authorized and in compliance with this General Order.

Definitions:

Outside Employment – Any employment or business activity performed and / or compensated from a source other than the Fort Bend County Sheriff's Office. This may include but is not limited to the generic term "extra job".

Law Enforcement Outside Employment – Outside employment where it is anticipated or intended that an employee may exercise law enforcement authority as part of the work, regardless of whether the job requires the wearing of a peace officer's uniform. Examples include but are not limited to: traffic control, general security, crowd control, and apartment "courtesy officer".

Non Law Enforcement Outside Employment – Outside employment where the employee does not perform the work while in a peace officer's uniform and it is not anticipated or intended that the employee will exercise law enforcement authority as part of the work. Examples include but are not limited to: landscape services, house repair, and sales.

Regular Employment – That employment conducted in the course of duties for the Fort Bend County Sheriff's Office.

Details and Procedure:

I. General Rules concerning Outside Employment

- A. Outside employment is not part of any compensation or benefit of employment with the FBCSO and permission for outside employment may be denied, rescinded, or revoked at any time per processes found in this General Order or by Order of the Sheriff or Chief Deputy.
- B. An employee may not perform any outside employment that conflicts with the employee's duties for the FBCSO, including, but not limited to:
 1. A process server, reposessor, or bill collector, or in any other employment that involves the private collection of money, merchandise or property under a contract, including debt collection or the repossession of property.
 2. Personal investigations or any employment that requires or could normally be expected to make use of FBCSO information, files, records, or services that are only available to an employee when performing official duties as an employee of the FBCSO.
 3. Employment for a wrecker service, bail bond company, or a company/person licensed by the Texas Private Security Board.
 4. Employment that requires the FBCSO employee to obtain a license from the Texas Alcoholic Beverage Commission, Texas Racing Commission, or any other license concerning activities associated with gambling.


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5. Employment from a business or person that is involved in the operation of a gambling place as defined in the Texas Penal Code Chapter 47 or employment from a business or person operating in a known pattern of violation of law including but not limited to those concerning pari-mutuel wagering.
 6. Where the type of business, specific duties, or other circumstances, would require or result in the employee having adversarial contacts with on-duty law enforcement officers, loss of independent judgment / integrity, or may bring discredit or loss of public faith to the FBCSO.
- C. An employee's primary duty is to his/her regular employment and if there is conflict between regular employment and outside employment, the employee will be expected to terminate the outside employment. Examples of conflict include but are not limited to:
1. Situations where the number of hours worked on outside employment are seen to negatively impact regular employment job performance. Generally, employees will not be approved to work more than 20 hours in any 7 day period (excluding outside employment hours work on a scheduled day off).
 2. Situations where the outside employment work environment becomes unreasonably dangerous to the employee, other employees, or the public.
- D. All outside employment must have initial supervisory approval prior to the service being rendered (it is preferred that approval be in writing on approved form(s) – on a case by case basis approval may be verbal, followed by written approval in a timely manner).
1. Supervisors will not approve outside employment if -
 - (a) It is reasonably seen that the employment could bring discredit to the FBCSO.
 - (b) It is contrary to any FBCSO General Order.
 - (c) It is beyond the reasonable capabilities of the requesting employee.
 - (d) It is reasonably thought to create a situation where the requesting employee's regular employment might be negatively impacted.
 - (e) It meets another documented reason consistent with supervisory oversight authority.
 - (f) The employee is on any form of modified duty (Temporary Transitional Assignment [per worker's comp] or Light Duty Assignment). [Further, any outside employment approval is immediately rescinded upon an employee being subject to this condition].
 - (g) The employee is on any form of disciplinary leave. [Further, any outside employment approval is immediately rescinded upon an employee being subject to this condition].
 - (h) The employee is on disciplinary probation. [Further, any outside employment approval is immediately rescinded upon an employee being subject to this condition].
 - (i) The employee has not finished initial training for his/her job function (as determined by the Division Commander).
 2. Supervisors also have the authority to rescind an approval for outside employment based on the guidelines in this subsection. Any employee continuing outside employment without approval is subject to disciplinary action.
 3. No employee may work outside employment during any time that he/she is using Sick Leave, any form of Earned Leave during FMLA leave, during any period of Unpaid Leave (including but not limited to voluntary and involuntary leaves of absence), and/or during any period of Administrative Leave due to a pending internal investigation or pending disciplinary matter. [Further, any outside employment approval is immediately rescinded upon an employee being subject to any of these conditions].

4. All requests for outside employment will go through the chain of command to the Bureau Commander for review. The Bureau Commander will make determination on approval/non approval. In contested issues an employee may appeal the decision to the Chief Deputy for final resolution. Outside employment that takes place in a location that is not in Fort Bend County or a County contiguous to Fort Bend County must have the approval of the Chief Deputy.
5. Employees working outside employment are still subject to obey all FBCSO General Orders and submit to the appropriate authority of FBCSO supervisory personnel.
6. An employee working outside employment shall immediately report (or as soon as able if immediate reporting is unsafe or reasonably impossible) to supervisory personnel any activity occurring during the outside employment that involves physical confrontation resulting in injury to any person, damage to personal property, arrests being made, or any other matter that would reasonably be seen to merit interest to the media or FBCSO supervisory personnel. If the outside employment is in Fort Bend County and FBCSO units respond to the scene based on a call for service – reporting requirements are met. Employees will also submit written reports on any activity covered under this subsection.
7. The Chief Deputy will appoint a person / position to coordinate outside employment support issues. Duties of this appointee include –
 - (a) Receiving completed request forms for filing and maintenance of data.
 - (b) Upon own initiative or request of Division Commander or higher authority, investigate matters concerning outside employment concerning potential violations of policy.
 - (c) Keep Bureau Commanders and Chief Deputy apprised of any issues concerning the administration of this General Order.
8. Bureau Commanders have the primary responsibility to insure that this General Order is implemented and followed. No Bureau Manual or SOP may be issued / enforced on the topic of outside employment (only orders from the Chief Deputy will modify or further enact provisions of this General Order). If he/she determines it is in the best interests of the FBCSO the Chief Deputy may waive or modify provisions of this General Order on a case by case basis.
9. All forms associated with this General Order shall be approved by the Chief Deputy.
10. Bureau Commanders and higher authority will maintain authority to approve their own outside employment subject to oversight in a manner determined by the Chief Deputy.
11. Any employee who has reason to believe that an outside employer (or location of outside employment) is operating counter to the ethics demanded of all employees of the FBCSO or is operating in a manner that creates an unreasonable danger to employees or the public will immediately report this through the chain of command for resolution. If a Bureau Commander determines this situation exists, the employer and/or location will be listed as banned for outside employment and communicated to all FBCSO employees. Any remaining issues of contention concerning this will be forwarded to the Chief Deputy for final resolution.

II. Additional Regulations on Certain Types of Outside Employment

- A. Law Enforcement Outside Employment for a business deriving a majority of its income from the sale of alcoholic beverages may be approved only under the following conditions –
 1. A minimum of two peace officers are working together at all times.

<p>GENERAL ORDER</p>  <p>SHERIFF SERVICE - INTEGRITY DIGNITY FORT BEND COUNTY</p>	Effective: 05-15-13	# 05-03
	Section: Equipment & Technology	Replaces or Modifies: GO 37
	Title: Vehicle Assignment and Use	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

Establish procedures for assignment and use of vehicles throughout the Fort Bend County Sheriff's Office (FBCSO).

Policy:

It is the policy of the FBCSO to base the distribution, assignment, and use of vehicles on the needs of each function. All FBCSO Vehicles are only to be used for lawful purposes to further the mission of conserving the peace in Fort Bend County.

Only personnel approved through the guidelines of this General Order may utilize take home vehicles.

Fort Bend County Vehicle Policy (# 612) – The Commissioner's Court of Fort Bend County has authority over the budget and establishes the level of funding for all resources including vehicles. The Sheriff has authority to regulate the deployment and use of this resource. Assignment and use of FBCSO Vehicles is exclusively covered in this General Order. Provisions of the Fort Bend County Vehicle Policy are only applicable as specifically mentioned in this General Order.

Definitions:

Damage – Does not include situations where repairs are not warranted. This determination must be made by a Supervisor.

County Owned Vehicle – Includes vehicles owned or leased for use by Fort Bend County and/or the FBCSO. This term may also include a vehicle not owned or leased by the employee that is being used for official duties of the FBCSO by the employee. This term includes but is not limited to forfeited vehicles, grant funded vehicles, maintenance/pool vehicles, and contract funded vehicles.

FBCSO Vehicle – County owned vehicles that are under the care, custody, or control of the FBCSO.

Fleet – Any crash of a FBCSO Vehicle that involves damage to the FBCSO Vehicle, another vehicle, or other property. Damage to a FBCSO vehicle that is not being operated at the time of the damage (example: parked) will be investigated and documented as damage to FBCSO property for internal purposes (not shown as a Fleet).

Details and Procedure:

- I. The Captain of the Support Services Division shall oversee the maintenance of a master list of all FBCSO Vehicles (including but not limited to details on the vehicle's identification, person or group the vehicle is assigned to / operational readiness / division vehicle is assigned to / status on whether the vehicle is approved for "take home" use). Any change to a vehicle's status will be reported to the Support Services Division.

II. Division Commanders are to keep apprised of the condition of the FBCSO Vehicles under their command and insure that vehicles are used in a manner that most benefits the performance of functions. All reports concerning damage of vehicles shall be submitted by Division Commanders to the Support Services Division, with any findings included.

III. Use and Care of Vehicles

- A. All employees operating a County owned vehicle shall do so in a safe manner, obeying all applicable laws (including but not limited to rules of the road and driver's license requirements). Specific operating issues concerning response to law enforcement matters and emergencies are dealt with in a separate General Order.
- B. If a vehicle is damaged, and the damage is shown to be the result of careless or negligent action or inaction on the part of an employee, the employee is subject to disciplinary action including but not limited to the possibility of reimbursing the County for the costs of repair.
- C. Employees operating vehicles are to report any safety issues for resolution and shall ensure that the vehicle is cleaned and maintained on a regular basis.
- D. Except in cases where the action is part of an employee's legitimate duties, an employee shall not have any illegal substance in a County owned vehicle.
- E. Except in cases where the action is part of an employee's legitimate duties, an employee shall not possess an open container of any alcoholic beverage in the passenger area of a County owned vehicle. The definition for terms in this subsection are those found in the Texas Penal Code 49.031.
- F. Any employee that damages a County owned vehicle shall report this to a Supervisor in a timely manner. A report of the action shall be completed with a finding on whether the damage was due to carelessness or negligence.
- G. Any time a FBCSO Vehicle is found damaged without knowledge of who damaged the vehicle, a Supervisor will be notified to conduct an investigation in an effort to determine the circumstances surrounding the incident.
- H. Use of a County owned vehicle in Fort Bend County, contiguous Counties, and/or a County contiguous to Harris County requires no specific supervisory approval. This does not relieve an employee of the duty to keep his/her supervisor informed about his/her activities. Use of a County owned vehicle outside these areas requires prior supervisory approval. Out of State use of a County owned vehicle requires prior approval of the Chief Deputy.
- I. Use of a County owned vehicle while at an extra job will only be approved if there is a legitimate benefit to the Sheriff's Office in its delivery of services to the citizens of Fort Bend County. Use in this section means the use of a vehicle as an integral part of the extra job (example includes but is not limited to providing an escort on public roadways). Use does not include mere transportation to or from an extra job if the employee is approved to have a take home vehicle. Approvals under this section will be through the chain of command to the level of Bureau Commander.
- J. An employee who is ineligible to be covered under the County's automobile liability insurance is subject to being prohibited from operating County owned vehicles at the discretion of the Chief Deputy. If this bars the employee from performing his/her job assignment the employee is subject to disciplinary action.
- K. If an employee's license is suspended or revoked for any reason, this must immediately be reported to a supervisor. An employee who receives 3 or more moving violations as shown on their driving record in a 3 year period may be subject to disciplinary action.

- L. Employees shall use County owned vehicles for official duties. Any private use of County owned vehicles shall be minimal and if it reaches a point that would negate the Working Condition Benefit Exclusion for Qualified Non Personal-Use Vehicles found in the Internal Revenue Service Rules (see IRS publication 15-B [2013] and its successors) this shall be reported to the Chief Deputy through the chain of command. If the Chief Deputy determines this use still benefits the Sheriff's Office he/she may authorize continued use with this reported to the appropriate County Department to insure that taxes are paid on this by the employee (County policies on this process will be followed).
- M. Employees using a wireless communications device while operating a County owned vehicle will only do so by using a hands free device or while the vehicle is stopped. The definition of terms for this subsection are those found in the Texas Transportation Code 545.425. Exceptions to this are for necessary emergency communications and use of MDC's.
- N. Any use of a County owned vehicle that could reasonably be seen to bring discredit to or diminish the public's confidence in the Sheriff's Office is prohibited.

IV. Fleets

- A. Upon any fleet occurring in Fort Bend County or a contiguous County, a non-involved Supervisor shall go to the scene.
- B. In fleets that do not involve a death or reasonable suspicion that death may be imminent, the Supervisor will insure that an investigation and report is done either by FBCSO personnel or an outside agency with jurisdiction.
- C. In fleets that involve a death or reasonable suspicion that death may be imminent, the Supervisor will insure that an investigation and report is done by an outside agency with jurisdiction. If an outside agency cannot or will not investigate, the Chief Deputy shall be notified through the chain of command for resolution.
- D. In all fleets that involve a death, reasonable suspicion that death may be imminent, serious bodily injury to a County employee / official, or extensive vehicle/property damage a Major shall be notified as soon as is reasonably practical.
- E. If a fleet occurs outside of Fort Bend County and its contiguous Counties, the employee involved (if able) shall report the fleet to a supervisor in a timely manner. This shall be reported through the chain of command to the Major level. An outside agency shall conduct the investigation and report. A Major shall direct FBCSO's response and actions including but not limited to insuring an investigative report is done even if an outside agency cannot or will not conduct the investigation.
- F. Majors are responsible for insuring that a review is done on each fleet with a written finding on any policy violations. Upon completion of a fleet review a copy shall be forwarded to the Chief Deputy. All fleet reviews will also be forwarded to the Support Services Division to be filed for future analytical purposes.
- G. A crash report done on a fleet where State Law does not require a report to be filed will not be sent to the Texas Department of Transportation, it will remain only in FBCSO files.
- H. It is incumbent upon each employee operating a vehicle to do so in a safe manner. Where investigation supports a finding that the employee's operation of items including but not limited to cell phones, MDC's, or other similar devices was a causative factor in the fleet – the employee will be subject to disciplinary action.
- I. This General Order does not address the policy concerning Drug / Alcohol Testing, the General Order on this topic shall be consulted for direction.

V. Specialized Vehicles

- A. Employees operating motorcycles while performing official duties for the Sheriff's Office shall have passed a Police Motorcycle Operators Course and maintain proficiency. The Patrol Division Commander shall approve the particular Course(s) taken and ensure compliance with this section.
- B. It is the responsibility of the employee operating a motorcycle while performing official duties for the Sheriff's Office to practice safe driving habits. To this end the employee may choose not to ride the motorcycle during actual inclement weather or when lighting conditions are poor. The employee may utilize a different FBCSO Vehicle during this time or when the motorcycle is down due to maintenance. Any action of this nature will require supervisory notification and approval.
- C. Majors are to insure that the Bureau Manuals or Division SOPs set specific standards for all other specialized vehicles.

VI. Use of Personal Vehicles for FBCSO business

- A. Any use of a personal vehicle for FBCSO business must have prior approval at the Captain level or higher.
- B. Approval for any employee having a car allowance must come from the Chief Deputy and comply with provisions of the Fort Bend County Vehicle Policy (#612) concerning this topic.
- C. Prior to an employee receiving any form of reimbursement for this use, he/she must comply with provisions of the Fort Bend County Vehicle Policy (#612) concerning this topic.

VII. Take Home Vehicles


- A. Certain employees will be authorized to have take home vehicles. The criteria for having a take home vehicle is that the employee's duties carry a reasonable expectation that he/she will be subject to being called to duty during non scheduled work hours or the nature of the employee's duties reasonably justify a need for a take home vehicle. A take home vehicle is not a benefit or entitlement of any particular employee, it is a functional necessity attached to a particular duty assignment.
- B. Due to the expectation attached to their roles, Captains and higher ranking officers will generally be authorized to have take home vehicles unless the Chief Deputy determines that the Captain's specific duties do not justify a take home vehicle.
- C. While not officially classified as a take home vehicle, some vehicles may be taken home on a temporary or rotating basis. In some cases they may only be authorized when an employee is on a particular "on call" status. In other cases they may only be authorized during a period of heightened emergency alert situations.
- D. Majors will make recommendation on which employees will be authorized to have take home vehicles and any restrictions concerning temporary or rotating issues as applicable, with the Chief Deputy giving final approval.

VIII. Purchase, Maintenance, Repair of FBCSO Vehicles and Pool/Spare Vehicles

- A. The process for budgeting / purchasing vehicles is governed under Fort Bend County Policies.
- B. Maintenance and repair costs of vehicles are governed under Fort Bend County Policies.
- C. The Chief Deputy will coordinate with the appropriate County Departments to insure that reports needed by them (example Risk Management) are accomplished with the

maximum of efficiency possible. As such, forms and procedures will be maintained and communicated to accomplish this goal.

- D. Transfers into or out of the vehicles assigned to FBCSO to or from another County entity must have approval of the Chief Deputy and will comply with Fort Bend County Policies on this topic.
- E. Captains and higher ranking officers are to develop working relationships with the appropriate County officials to ensure that the needs of the Sheriff's Office are being met. Conflicts that result in a loss of operational efficiency that cannot be resolved will be reported through the chain of command to the Chief Deputy for resolution.
- F. A pool vehicle is one not assigned to the FBCSO, which is defined under Fort Bend County Policies as a Maintenance/Pool vehicle. Use of this type of vehicle is governed under Fort Bend County Policies.
- G. Spare vehicles are those that are assigned to the FBCSO and do not have a specific regular use assignment, but are necessary to maintain readiness to respond to requests for service. The use of these vehicles will be managed by the Bureau and Division Commanders based upon operational needs in compliance with the directives of the Chief Deputy.

<p style="text-align: center;">GENERAL ORDER</p> 	Effective: 10-01-14	# 06-01
	Section: Specialized Functions	Replaces or Modifies: N/A
	Title: Mental Health Crisis Strategies	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		


Procedure:

I. Minimum Knowledge Expectations

- A. All sworn peace officers and civilian detention officers are to be familiar with Chapter 573 of the Texas Health and Safety Code (which deals with Emergency Detention of the mentally ill).
- B. All sworn peace officers and civilian detention officers are to be familiar with Chapter 574 of the Texas Health and Safety Code, Section 574.045 (Transportation of Patient).

II. Crisis Intervention Team - (CIT)

- A. The Crisis Intervention Team is composed of specially trained Deputies and a Supervisor whose function is to aid in the response to incidents involving persons in mental health crisis and to conduct follow up activities designed to provide aid to individuals who may be appropriately diverted from the criminal justice system into the mental health system. Responsibilities include but are not limited to:
 - 1. Assisting Patrol by responding to calls for service, as a backup unit, involving persons believed to be in mental health crisis.
 - 2. Assisting Patrol in conducting Mental Health Transports from local Hospital Emergency Rooms or a Texana Center campus to a local Mental Health Hospital or a State Hospital.
 - 3. Assisting Patrol in serving Mental Health Warrants.
 - 4. Conduct follow up services from referrals received from Patrol or other agencies in order to connect consumers to services.
 - 5. Assisting on SWAT call outs involving persons believed to be in an emotional or mental health crisis
 - 6. Aid in providing Mental Health and Crisis Intervention Training to FBCSO personnel
 - 7. Work collaboratively with Texana Center, Fort Bend County's Health and Human Services, and other behavioral health providers and organizations in the community to assess MHCs and provide crisis services as appropriate
- B. CIT Division Commander Duties
 - 1. Insure that the following actions are initiated and maintained so as to facilitate inter-divisional cooperation --
 - i. Provide Dispatch a current schedule of the CIT
 - ii. Establish an on call system (concerning after hours responses) for the CIT and provide dispatch with a current on call schedule / procedures

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- iii. Communicate on call system procedures to the Patrol and Detention Division Commanders
- 2. Insure that the following actions are initiated and maintained –
 - i. Establish work patterns and specific duties that best enable the CIT to accomplish its mission including but not limited to meeting any existing grant requirements as applicable
 - ii. Establish and insure that applicable grant reporting is done in a timely and accurate manner
- 3. Represent and coordinate FBCSO interests to other agencies involved in this area (including but not limited to Texana Center, other Fort Bend County Departments, and other Police Agencies).

III. Dispatch Procedures

- A. Dispatchers will code calls involving persons believed to be in mental health crisis as CIT calls. Further:
 - 1. Patrol will be dispatched as the primary unit
 - 2. If in service, a CIT unit will be dispatched as one of the backup unit(s)
 - 3. In the event no CIT unit is in service, it is preferred that a patrol unit with the Mental Health Peace Officer certification be dispatched (in no case will response be delayed due solely to this preference as all Deputies have the basic knowledge and are expected to handle all calls for immediate assistance)
 - 4. When the response to a call not originally dispatched / coded as CIT is determined to be a result of someone in mental health crisis, responding unit(s) will advise dispatch to code the call as CIT and provisions of III.A above will be followed as applicable.

IV. Response Indicators and Specific Actions

- A. Recognizing Abnormal Behavior
 - 1. A Mental Illness is often difficult to define in a given individual. Employees are not expected to make judgments of mental or emotional disturbance but rather to recognize behavior that is potentially destructive and / or dangerous to self or others. The following are generalized signs and symptoms of behavior that may suggest mental illness although employees should not rule out other potential causes such as reactions to narcotics or alcohol or temporary emotional disturbances that are situationally motivated. Deputies should evaluate the following behaviors in the total context of the situation when making judgments


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about the individual's mental state and need for intervention absent the commission of a crime.

- i. *Degree of Reactions.* Mentally ill persons may show signs of strong and unrelenting fear of persons, places or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.
 - ii. *Appropriateness of Behavior.* An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
 - iii. *Extreme Rigidity or Inflexibility.* Emotionally ill persons may be easily frustrated in new or unseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
2. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:
- i. Abnormal memory loss related to such common facts as name, home address, (although these may be signs of other physical ailments such as injury or Alzheimer's disease);
 - ii. Delusions, the belief in thoughts or ideas that are false, such as delusions of grandeur ("I am Christ") or paranoid delusions("everyone is out to get me");
 - iii. Hallucinations of any of the five senses(e.g. hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc);
 - iv. The belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart stopped beating for extended periods of time; and/or
 - v. Extreme fright or depression.

B. Determining Danger


1. Not all mentally ill persons are dangerous and some may present danger only under certain circumstances or conditions. Employees may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to himself/herself or others. These include the following:
 - i. The availability of weapons

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- ii. Statements by the person that suggest to the employee that the individual is prepared to commit a violent or dangerous act. Such comments may range from a subtle innuendo to direct threat that, when taken in conjunction with other information, paint a more complete picture of the potential for violence.
- iii. A personal history that reflects prior violence under similar or related circumstances. The person's history may be known to the employee or family. Friends or neighbors may also be able to provide such information.
- iv. A person's failure to commit a dangerous action prior to arrival of the employee does not guarantee that there is no danger, but it does in itself tend to diminish the potential for danger.
- v. The amount of self-control that the person demonstrates is significant, particularly the control over emotions of rage, anger, fright or agitation. Signs of lack of control include extreme agitation, inability to sit still or communicate effectively, eyes wide open, and rambling thoughts / speech. Clutching one's self or other objects to maintain control, begging to be left alone or offering frantic assurances that one is all right may also suggest that the individual is close to losing control.
- vi. The volatility of the environment is a particularly relevant factor that the employee must evaluate. Agitators that may affect the person, or a particularly combustible environment that may incite violence, should be taken into account.

C. Approach and Interaction

- 1. The following general guidelines detail how to approach and interact with a person who may have mental illness and who may be a crime victim, witness, or suspect. The guidelines should be followed in all contacts, whether on the street or during more formal interviews and interrogations. Employees, while protecting their own safety, the safety of the person with a suspected mental illness, and others at the scene should:
 - i. Recognize that these events are dangerous and employees must be prepared to protect themselves and others. The person may be suffering from mental instability, extreme emotions, paranoia, delusions, hallucinations, or intoxication.
 - ii. Remain calm and avoid overreacting, surprise may illicit a physical response, the person's "fight or flight" may be engaged;
 - iii. Approach the individual from the front (if this can be done in safety);

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- iv. Provide or obtain on-scene emergency aid when treatment of an injury is urgent;
 - v. Check for and follow procedures indicated on medical alert bracelets or necklaces;
 - vi. Indicate willingness to understand and help, use active listening and paraphrase responses;
 - vii. Use the person's name and your name when possible, speak slowly, simply and briefly, and move slowly;
 - viii. Remove distractions, upsetting influences and disruptive people from the scene;
 - ix. Understand that a rational discussion may not take place;
 - x. Recognize that sensations, hallucinations, thoughts, frightening beliefs, sounds("voices"), or the environment are "real" to the person and may overwhelm the person;
 - xi. Be friendly, patient, accepting and encouraging but remain firm and professional;
 - xii. Be aware that the employee's uniform, gun, and / or handcuffs may frighten the person with mental illness and attempt to reassure him / her that no harm is intended;
 - xiii. Attempt to determine if the person is taking any psychotropic medications;
 - xiv. When able, announce actions before initiating them;
 - xv. Gather information from family or bystanders;
 - xvi. Use patience and communication to control, use physical force only as a last resort;
 - xvii. When applicable ask direct questions about what the person is experiencing, e.g. "Are you hearing voices? Are you thinking of hurting yourself? Are you in need of something?"
2. While each incident will be different when dealing with a person who may have a mental illness, employees should be aware that their own actions might have an adverse effect on the situation. Actions that deputies should generally avoid include (nothing in this section requires an action if it places employees or the public in unreasonable danger):
- a. Moving suddenly, startling the person, giving rapid orders or shouting;
 - b. Forcing discussion;
 - c. Cornering or rushing;
 - d. Touching the person (unless essential to safety);
 - e. Crowding the person or moving into his or her zone of comfort;


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- f. Expressing anger, impatience or irritation;
- g. Assuming the person who does not respond cannot hear;
- h. Using inflammatory language, such as “mental” or “mental subject”;
- i. Challenging delusional or hallucinatory statements;
- j. Misleading the person to believe that personnel on the scene think or feel the way the person does.

D. Taking a Person into Custody for Emergency Detention

1. When a Deputy determines that an Emergency Detention is necessary, the following procedures will be utilized:

- a. Restraining the Apprehended Person- Pursuant to Texas Health and Safety Code Sec. 574.045g (Transportation of Patient), the apprehended person may not be restrained unless necessary to protect the health and safety of the apprehended person and the safety of the person traveling with the apprehended person. If necessary to restrain the apprehended person, the use of handcuffs and if needed, ankle restraints are authorized. The apprehended person shall be searched for weapons or contraband by the deputy prior to transporting the apprehended person to the site of the preliminary examination or the inpatient mental health facility.
- b. When no offense has occurred and there is no co-occurring medical condition, contact the CIT. The CIT will contact the Texana Center Hotline and make arrangements for the person to be admitted into either the Texana Crisis Center or a local Mental Health Hospital. The details of the incident will be documented in a Significant Incident Report by the primary unit.
- c. When an offense has occurred, book the person into the jail following appropriate Detention Division Procedures. If diversion from the jail appears to be an appropriate action, contact the CIT. The CIT will contact the Texana Center Hotline and make arrangements for the person to be admitted into either the Texana Crisis Center or a local Mental Health Hospital. The details of the incident will be documented in an Offense Report by involved employees.
- d. Medical Aid will be summoned (usually through EMS) to deal with injuries and/or non behavioral issues as appropriate. In cases where the individual is transported to a medical facility, FBCSO personnel will also go to the facility to continue providing appropriate services (which may include Emergency Detention of the individual and insuring safety of medical personnel).

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- e. Hospital Initiated Detentions- Deputies responding to a local hospital for the purpose of completing an emergency detention for patients who are brought or sent to the hospital from other means will conduct their own investigation to ensure the requirements of section 573.001 Apprehension by Peace Officer without warrant are met. If the requirements are met, the officer will complete the emergency detention. If the requirements are not met, hospital staff will be advised to notify the originating agency of the need for an emergency detention/commitment and request the agency's response to the hospital.
- f. Mental Health Warrants will be served by the CIT when available; if unavailable, arrangements for use of patrol personnel will be made.
- g. Confiscation of Firearms and other Deadly Weapons owned or possessed by Apprehended Person-An officer making a warrantless apprehension of a person under Texas Health and Safety Code Section 573.001 may confiscate any firearm or other deadly weapon found in the possession of or under the immediate control of the apprehended person. Any confiscated firearms or deadly weapons will be placed into safe keeping in the evidence room under the appropriate case number. The apprehended person will be notified in writing of the confiscation of any firearm or other deadly weapon and informed of the procedure for obtaining their return. Release of any confiscated firearms or other deadly weapons will be the responsibility of the ID unit through their established procedures.

E. Transportation of Patients under Emergency Detention, Mental Health Warrant, or Commitment

- 1. Provisions of Texas Health and Safety Code Section 574.045 will be followed as applicable.
- 2. The Division Commanders over Patrol and CIT will develop and maintain a policy for responsibility for transports that ensures appropriate and timely provision of service while taking into account any restrictions on operational abilities and/or guidelines within grant(s) that provide funding for CIT operations.



**FORT BEND COUNTY SHERIFF'S OFFICE
ORDER NAMING PREA COORDINATOR**




Per General Order 07-01 Section I, which states:

"The Chief Deputy will designate an agency-wide PREA coordinator with sufficient time and authority to implement and oversee efforts to comply with the PREA standards. The designated coordinator is responsible for obtaining and maintaining PREA standards compliance within the FBCSO."

Lieutenant Boehnemann is appointed PREA Coordinator for the FBCSO effective 02-01-14.

A handwritten signature in cursive script, appearing to read "D. Marcaurele".

David Marcaurele
Chief Deputy

 <p>GENERAL ORDER</p>	Effective: 02-01-14	# 07-01
	Section: Detention Operations	Replaces or Modifies: N/A
	Title: Prison Rape Elimination Act Standards (PREA)	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

To establish policies and procedures that will promote a safe environment for inmates by reducing sexual abuse and sexual harassment in the Fort Bend County Jail, in accordance with national Prison Rape Elimination Act (PREA) standards.

Policy:

The Fort Bend County Sheriff's Office (FBCSO) has a zero tolerance stance toward all forms of sexual abuse and/or harassment. Inmates and staff that report sexual abuse or sexual harassment or cooperate with such investigations will not suffer retaliatory action.

Definitions:

Sexual Abuse of an inmate by a staff member, contractor, or volunteer- includes any of the following acts, with or without consent of a person incarcerated in the Fort Bend County Jail (inmate);

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request, by a staff member, contractor, or volunteer to engage in the activities described in sections (1) through (5) of this definition;
7. Any display by a staff member, contractor, volunteer, of his or her uncovered genitalia, buttocks, or breasts in the presence of an inmate, and
8. Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment-

1. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body of clothing, or obscene language or gestures.

Voyeurism by a staff member, contractor, or volunteer- an invasion of privacy of an inmate by staff for reasons unrelated to official duties, such as peering at an inmate who is

using a toilet of his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Full compliance- compliance with all material requirements of each standard except for *de minimis* (so minor as to merit disregard) violations, or discrete and temporary violations during otherwise sustained periods of compliance.

Prison Rape Elimination Act (PREA) - a federal law enacted in 2003, which was created to eliminate sexual abuse in confinement. Further, those rules as documented in the Federal Register concerning PREA as amended.

Details and Procedure:

- I. PREA Coordinator - The Chief Deputy will designate an agency-wide PREA coordinator with sufficient time and authority to implement and oversee efforts to comply with the PREA standards. The designated coordinator is responsible for obtaining and maintaining PREA standards compliance within the FBCSO.
- II. Training
 - A. All detention personnel who may have contact with inmates shall be trained on how to prevent, detect, and respond to sexual abuse and sexual harassment.
 - B. All vendors and contractors who have contact with inmates shall be trained on their responsibilities in preventing, detecting, and responding to sexual abuse and sexual harassment.
- III. Reporting
 - A. All employees shall immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that involves any Fort Bend County inmate, whether it occurred in the Fort Bend County Jail or another facility; any act of retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. All reports shall be made to the Detention Bureau Chief and Division Commander and PREA Coordinator [if Coordinator is not the Bureau Chief or Commander]. The Chief Deputy will be made aware of any such report by the Bureau Chief and/or Division Commander of Detention.
 - B. Upon discovering that an inmate is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action in protecting the inmate.
 - C. Employees shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, such as; investigator or medical and mental health staff.
 - D. The PREA Coordinator shall ensure that all allegations of sexual abuse and sexual harassment are referred for proper investigation.
 - E. All allegations of sexual abuse and sexual harassment shall be referred for investigation.
 1. Allegations that involve potentially criminal behavior shall be conducted by the Criminal Investigations Division by investigators who have been properly trained in conducting investigations of sexual abuse in confinement settings. The Bureau Chief over Criminal Law Enforcement and the Chief Deputy will be notified of

any such investigation and may use discretion in assignment as the needs of a particular case dictate.


2. Administrative Investigations shall be conducted by either the Internal Affairs Division or the Detention Bureau Investigations Unit, at the discretion of the Chief Deputy.

IV. Disciplinary Sanctions for Staff

- A. Staff shall be subject to disciplinary sanctions up to and including termination for violating Fort Bend County Sheriff's Office sexual abuse and sexual harassment policies found in this General Order.
- B. The evidentiary standard used when determining whether or not an allegation is substantiated shall be sufficient evidence (this is below the standard of preponderance of evidence in keeping with general actions associated with Civil Service proceedings in the State of Texas and as specified under PREA rules).
- C. Disciplinary sanctions shall follow the standards set forth in the Civil Service Rules and General Order(s) dealing with discipline.
- D. Termination will be the presumptive disciplinary action for any employee who has committed sexual abuse as defined in this General Order.

V. Full Compliance

- A. The PREA Coordinator shall review all General Orders, Bureau Manuals, SOPs, and investigations related to sexual abuse and sexual harassment involving Fort Bend County inmates to ensure the Fort Bend County is in Full Compliance with all PREA standards. Any conflicts will be reported to the Chief Deputy for resolution.

	GENERAL ORDER Effective: 03-10-14	# 08-01
	Section: Records Management	Replaces or Modifies: N/A
	Title: UCR Reporting and Case Management Issued by: Chief Deputy D. Marcaurele <i>DM</i>	

Purpose:

To establish written guidelines for Uniform Crime Reporting (UCR) and Case Management.

Policy:

The Fort Bend County Sheriff's Office (FBCSO) expects all employees who initiate case reports and manage the investigation of cases to do so within the guidelines of this General Order in a manner that accurately and timely reflects actions taken and current status on the case.

The FBCSO expects that all employees will follow the UCR Manual guidelines when reporting and/or closing UCR reported cases.

Definitions:

ARS – Automated Reporting System within the FBCSO Tiburon RMS (Records Management System).

Case Management System – The sections in the Incident module within Tiburon RMS where follow up investigation activity is documented and tracked.

Juvenile – A person who is at least 10 years of age and under 17 years of age, unless he/she has been certified as an adult by a Court of competent jurisdiction.

UCR – Uniform Crime Report that is submitted to the State of Texas by FBCSO. The report is then submitted to the Federal Bureau of Investigation (FBI) by the State of Texas.

UCR Part I Crimes - Criminal Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny-Theft, Motor Vehicle Theft, Arson, Human Trafficking (Commercial Sex Acts), and Human Trafficking (Involuntary Servitude).

UCR Manual – UCR Summary Reporting System User Manual issued by the FBI.

Procedure:

I. Cases shall only be closed using the following guidelines



A. Cleared by Arrest

An offense is cleared by arrest, or solved for crime reporting purposes, when at least one person is (1) arrested, (2) charged with the commission of the offense, and (3) turned over to the court for prosecution (whether following arrest, court summons, or police notice).

Although there is no physical arrest, an offense may be cleared by arrest when the offender is a person under 18 years of age and is cited to appear in juvenile court or before other juvenile authorities.

The number of offenses and not the number of persons arrested are counted in the clearances that are recorded on UCR Return A. NOTE: Agencies cannot report more

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clearances than offenses in a given month unless they are scoring clearances of offenses that were reported in previous months.

Several crimes may be cleared by the arrest of one person, or the arrest of many persons may clear only one crime. NOTE: Further, if several persons are involved in the commission of a crime and only one is arrested and charged, the agency must list the crime on the UCR Return A as cleared by arrest. When the other persons involved in the crime are arrested at a later date, the agency must not record another clearance because the offense was already cleared following the arrest of the first person.

Procedure to Use in the FBCSO Records Management System. The Case Management Codes to use in clearing a case by Arrest are AA (Arrest Adult) or AJ (Arrest Juvenile). Clearances of this type are entered into the Case Management System and **must also be documented through ARS** by showing involvement as "ARREST" and completing the arrest tab (being sure to fill out the arrest date and time in addition to the other information). NOTE: In certain cases that are cleared by Arrest where an Investigator is not involved (example a Patrol Deputy makes a field arrest clearing a case) there may not always be an entry in Case Management (AA or AJ) – these may be cleared using only the ARS documentation as detailed above.

B. Cleared by Exceptional Means


Definition of Exceptional Means. A case may be cleared by Exceptional Means only if all 4 of the following questions are answered Yes:

1. Has the investigation definitely established the identity of the offender?
2. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?
3. Is the exact location of the offender known so that the subject could be taken into custody now?
4. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

Examples of Exceptional Clearances. Generally, an offense can be exceptionally cleared when it falls into one of the following categories. The list is not all-inclusive; there may be other circumstances in which an exceptional clearance is appropriate (but only in cases where all 4 questions in the definition of Exceptional Means section above are answered Yes) .

1. Suicide of the offender. (The person who committed the offense is dead.)
2. Double murder. (Two persons kill each other.)
3. Deathbed confession. (The person who committed the offense dies after making the confession.)

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4. Offender killed by police or citizen.
5. Offender is prosecuted by state or local authorities in another city/county for a different offense or is prosecuted in another city/county or state by the federal government for an offense which may be the same. (Law enforcement makes an attempt to return the offender for prosecution, but the other jurisdiction will not allow the release.)
6. Extradition denied / In Custody of Other Jurisdiction. The suspect is in the custody of another jurisdiction, usually for a more serious offense, and the extradition was either denied or not pursued. For example, a suspect of motor vehicle theft was arrested for murder in another jurisdiction and is currently serving a sentence for the more serious offense.
7. Victim refuses to cooperate in the prosecution. (This action alone does not unfound the offense. The answer must also be yes to questions 1, 2, and 3 in the Exceptional Means Definition section above.)
8. Warrant is outstanding for felon but before being arrested the offender dies. (The method of death is irrelevant.)
9. The handling of a juvenile offender either orally or by written notice to parents in instances involving minor offenses such as petty larceny. No referral is made to juvenile court as a matter of publicly accepted law enforcement policy.
10. Prosecution declined (for other than the lack of probable cause).

The UCR Program recognizes that departmental policy in various law enforcement agencies permits discontinuing an investigation and administratively closing cases for which all investigation has been completed. The administrative closing of a case or the clearing of it by departmental policy does not permit exceptionally clearing the offense for UCR unless all four questions mentioned earlier can be answered yes. Additionally, the recovery of property does not clear a case for UCR purposes.


Procedure to Use in the FBCSO Records Management System. The Case Management Codes to use in clearing a case under Exceptional Means are EA (Exceptional Adult) or EJ (Exceptional Juvenile).

C. Unfounded Cases

Definition of Unfounded. A case that is determined through investigation to be false or baseless. In other words, no crime occurred. This is also used to clear cases that have been taken and it is determined that it is outside of the jurisdiction of the FBCSO.

NOTE: The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with prosecution, or the failure to make an arrest does

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not-unfound a legitimate offense. Also, the findings of a coroner, court, jury, or prosecutor do not unfind offenses or attempts that law enforcement investigations establish to be legitimate. If, after scoring an actual offense in one of the Part I categories, new information is developed through investigation that shows that the offense in fact did not occur, an agency must unfind it on the next monthly UCR Return A the agency submits. Additionally, if the offense the agency unfounds has a property value, the agency must unfind the value as well.

Procedure to Use in the FBCSO Records Management System. The Case Management Code to use to Unfound a case is UF (Unfounded).

D. Closed Other

In UCR Part I Cases. Used in cases where all investigative leads have been exhausted, physical evidence has been reviewed, no suspects have been identified, and no further investigative activity is foreseen at the time of closure. **This action does not clear a case for UCR purposes - it is an internal administrative closure that is not reported to UCR as a clearance.**

In Non-UCR Part I Cases. Used in cases where all investigative leads have been exhausted, physical evidence has been reviewed, no suspects have been identified, and no further investigative activity is foreseen at the time of closure. **This action does not clear a case for UCR purposes - it is an internal administrative closure that is not reported to UCR as a clearance.** This action is also used to close non-criminal reports (including but not limited to natural deaths, found property, lost property, missing persons when the person is found safe or returned home safely, and industrial accidents).



Procedure to Use in the FBCSO Records Management System. The Case Management Code used to indicate closed other is CO (Closed Other).

II. Other Case Management Activity

A. Codes

IN (Initial Assignment). This Case Management Code is used when a case is initially assigned for investigative activity.

VN (Victim Notified of Case Status). This Case Management Code is used to show the initial contact with the victim(s) in a case. A supplement report will be added to ARS to indicate this activity. This is normally the first activity on a case assigned for follow up investigation. This action is not applicable in most instances to cases

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concerning Child Protective Service referrals where a child is the victim – the investigator assigned these cases will document actions taken in supplement report(s) in ARS.

SS (Supplement Submitted). This Case Management Code is used each time a supplement report is added to ARS without another Code being used (example: VN code is entered and therefore a supplement in ARS is done, there is no need to add the activity code of SS in addition to the VN code).

CF (Case Filed). This Case Management Code is used when a case has been presented to the District Attorney's Office for prosecutorial action. This action moves a case from ACTIVE to PENDING status and has no bearing on UCR status.

SU (Case Suspended). This Case Management Code is used where investigative activity is being suspended, but it is expected that the case will need further action at a later date. This action keeps the case in the ACTIVE status. This action has no bearing on UCR status.

AW (Obtained Arrest Warrant). This Case Management Code is used when an arrest warrant is obtained on the case. This action has no bearing on UCR status.

RA (Reassignment). This Case Management Code is used to show a change in investigative assignment on a case. This action should be performed by Supervisory personnel only.

RO (Reopen). This Case Management Code is used to open a case that had been previously closed. This action should be performed by Supervisory personnel only and the supplement report in ARS should give details including but not limited to any impact on previously reported UCR statistics and actions taken to insure proper documentation of UCR reported statistics.

VC (Victim Compensation Notice). This Case Management Code is used to document activity concerning victim compensation and is usually performed by Crime Victim Liaison Personnel.

OT (Other). This Case Management Code is used when activity does not fit any other code. When used - the remarks field in Case Management must give a description of the code's usage and a supplement written in ARS.


Legacy Codes. The RMS system has older codes that were used at one time for Case Management usage. These codes remain due to their use in prior cases. Unless a code is authorized by this General Order as amended, legacy codes are not to be used.

B. General Reporting and Investigative Management Expectations

Initial Reporting. Initial reports shall be written in a manner consistent with reporting standards of UCR (as found in this General Order and in the UCR Manual).

Supervisory Duties (concerning initial reports). Supervisors are responsible for reviewing all initial reports to insure that they are reported in a manner that is in

Fort Bend County Sheriff's Office General Order # 08-01

	GENERAL ORDER	Effective: 03-10-14	# 08-01
	Section: Records Management	Replaces or Modifies: N/A	
	Title: UCR Reporting and Case Management		
Issued by: Chief Deputy D. Marcaurele <i>DM</i>			

compliance with the reporting standards of UCR (as found in this General Order and in the UCR Manual).

Supervisory Duties (concerning follow up investigation activity). Persons who supervise follow up investigation activities are charged with insuring that cases are investigated in a thorough, timely, and professional manner. They shall review reports to insure that reporting standards of UCR (as found in this General Order and in the UCR Manual) are being followed.

Investigator Duties. All employees conducting follow up investigation duties are to do so in a thorough, timely, and professional manner. Victims of crimes shall be kept apprised of the status of cases. Any problems that impact the ability to conduct a successful investigation shall be reported to the appropriate supervisory personnel for resolution. Each case shall be reviewed to insure that it has been correctly classified for UCR purposes and subsequent actions taken on a case shall be in compliance with the reporting standards of UCR (as found in this General Order and in the UCR Manual).

III. UCR Reports



Responsibility. The Chief Deputy shall designate a position/person that is responsible to produce the UCR Report for submission to the State. This person is charged with insuring that the report is accurate and timely submitted as directed by the Chief Deputy. The Division Commander over the position/person designated in this subsection is responsible for the oversight of this function (including but not limited to certifying that the report is accurate and complete, providing administrative support to the function, and keeping the Chief Deputy apprised of activities concerning this function).

Shared Duties. All employees will provide assistance to and follow the directions of the Division Commander responsible for the UCR report as it relates to this function in compliance with General Orders. If there is a conflict in provision of assistance or directions given it should be resolved at the Bureau Commander level and if conflict is still not resolve shall be referred to the Chief Deputy for resolution.

IV. Bureau Manuals / Standard Operating Procedures

Responsibility. Bureau and Division Commanders over areas impacted by this General Order shall insure that Standard Operating Procedures (SOPs) are updated and in place to fully implement this General Order.

Content. In addition to the guidance concerning Bureau Manuals / SOPs found in General Order 01-01, SOPs concerning this General Order should at a minimum address timeline expectations concerning certain aspects of the investigative process (examples include but are not limited to an expectation on the manner in which a victim is given

<p>GENERAL ORDER</p> 	Effective: 03-10-14	# 08-01
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	Title: UCR Reporting and Case Management	
Issued by: Chief Deputy D. Marcaurele 		

initial notification, the timeframe allowed for initial victim notification, standards on reviewing cases in the RMS to insure timely actions...)

V. Reporting Violations concerning this General Order

Responsibility. Any employee who becomes aware of a violation of this General Order is to immediately report same to supervisory personnel for resolution. The Division Commanders will be given a report on any such activity and shall report the issue, findings, and resolution through the Chain of Command to the Chief Deputy.

Chain of Command. While the normal chain of command should be followed in most instances to report violations under this subsection, an employee who feels that reporting in this manner might bring adverse action upon himself/herself may report the violation directly to a Bureau Commander or the Chief Deputy.

VI. Uniform Crime Reporting Summary Reporting System User Manual

Conflict with General Order. The version of the UCR Summary Reporting System User Manual (UCR Manual) in effect at the time of the creation of this General Order is Version 1.0 – Document Date 06/20/2013. Any conflict being found with this General Order and the UCR Manual (either current or revised) shall be reported to the Chief Deputy for resolution.

Duty to maintain knowledge. All employees who enter case information that results in reportable activity to UCR have the duty to read and follow not only this General Order, but also the sections of the UCR Manual that pertain to their activity. The UCR Manual is available for download in PDF format from the FBI website (as of March 2014, the address for this download was <http://www.fbi.gov/about-us/cjis/ucr/nibrs/summary-reporting-system-srs-user-manual>). Division Commanders may also make copy(ies) either through paper or electronic formats for use by employees under their command; however, the individual employee is responsible for maintaining knowledge on this topic (regardless of whether copies are provided) as this information is in the public domain and readily available for viewing / downloading.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 3

SUBJECT: The Gus George Law Enforcement Academy

- I. **PURPOSE:** To establish the Gus George Law Enforcement Academy, and detail its organization, authority, and responsibilities.
- II. **POLICY:** The Gus George Law Enforcement Academy of Fort Bend County shall be a function of the Personnel and Training Division of the Sheriff's Office. It shall serve as the primary training provider for the commissioned peace officers of the Fort Bend County Sheriff's Office. It shall identify, develop, and discharge training programs which address the needs of the employees of the Department and the peace officers of Fort Bend County and neighboring jurisdictions. Training shall be discharged as mandated by the laws of the State of Texas and in accordance with the rules and regulations of the Texas Commission on Law Enforcement Officer Standards and Education

III. **ACADEMY ORGANIZATION:**

The Academy shall be organized as follows:

- A. **ACADEMY DIRECTOR** - This is a position appointed by the Sheriff and shall be an individual of Staff Rank within the Fort Bend County Sheriff's Department. The Academy Director must meet the standards and requirements set forth in T.C.L.E.O.S.E. rule 211.65 governing Academy Training Coordinators. The Academy Director shall be responsible for the overall operation of the Academy function, and shall report through the Department chain of command, as the specific situation warrants. The Academy Director will research, organize, and discharge programs which will address the training needs of the peace officers within the Academy service area. The Academy Director shall be responsible for the supervision of all assigned personnel at the Academy, and shall identify, evaluate, select and appoint the instructors who discharge the Academy training programs. The Academy Director shall assist in the selection of any other assigned personnel who work in the Academy function.
- B. **ACADEMY SERGEANT** - A position filled by an individual of Sergeant Rank within the Fort Bend County Sheriff's Department. This individual will assist the Academy Director in the discharge of the Academy function, including, but not limited to: instruction, the discharge of administrative duties, supervision of other assigned personnel, and other duties designated and assigned from time to time by the Academy Director. This position shall serve as second in command at the Academy and will report to the Academy Director
- C. **PERSONNEL COORDINATOR** - The Personnel Coordinator shall be responsible for administering the department's personnel processes to include recruiting, application, testing, selection of applicants, and salary administration. The Personnel Coordinator while assigned to the Academy will generally not be involved in training programs however, from time to time may be called upon to assist with training matters. The Personnel Coordinator shall report directly to the Director of Personnel and Training.
- D. **TEACHING ASSISTANT** - The Teaching Assistant shall assist the Academy Director and Academy Sergeant in their duties. The responsibilities include preparation of reports

and maintenance of records related to the Academy's training programs. The Teaching Assistant also coordinates certain courses and conducts lessons in the classroom. The teaching assistant reports directly to the Academy Director.

- E. **ACADEMY SUPPORT PERSONNEL** - One or more individuals assigned to the Academy to facilitate the discharge of Academy training and any other assigned functions. These individuals may be secretaries, clerks, or sworn personnel, and their selection and assignment shall be determined by the needs of the Fort Bend County Sheriff's Department and the Academy.

- IV. **AUTHORITY & RESPONSIBILITY** -The Academy shall have the authority to conduct such research and assessments necessary to identify the training needs of the Department and its service area and to therefrom develop training programs to address those identified needs. The Academy shall also schedule and discharge training programs in a meaningful and logical manner. It shall be the responsibility of the Academy and its Staff to maintain training records for all of its programs and students; to identify the training needs of its service area; to make reports to the Texas Commission on Law Enforcement Officer Standards and Education, as their rules and regulations dictate; and to discharge other duties and responsibilities deserving of a first rate law enforcement training facility, and as required by law and the policies of the Fort Bend County Sheriff 's Department.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 8

SUBJECT: Policy Governing Required Leave of Absence to run for Elected Office

- I. **PURPOSE:** The purpose of this Order is to establish and explain the requirement that any member of this Department take an unpaid leave of absence from active duty during any period between the qualification for election for any Fort Bend County elected office or state elected office which requires service within Fort Bend County:

The Sheriff recognizes that some employees of this Department may desire to serve the people of Fort Bend County as an elected official and it is the goal of this Department to allow employees the opportunity to pursue such goals while, at the same time, preserving the integrity of the Department and maintaining both the fidelity of the service provided to the citizens of and visitors to, Fort Bend County. Because a strong and cordial intergovernmental relationship between this Department and numerous elected officials of Fort Bend County, as well as state elected officials who serve within Fort Bend County, is vital to the performance of the duties of this Department, and because employees of this Department have an inherent conflict of interest in serving those goals while, at the same time, seeking election to any such office, it is the policy of this Department that employees seeking such positions shall take a leave of absence from the Department, and their related responsibilities of County law enforcement, while they pursue their interest in elected office.


- II. **POLICY:** It shall be the policy of this Department that any employee who may qualify for candidacy for an elected office of Fort Bend County or any state elected office that requires the elected official to serve at any time in Fort Bend County as a normal function of that state elected position shall, no later than the date of qualification as a candidate for such office, the employee will be placed on unpaid leave status.

III. **PROCEDURES:**

- A. Any employee who qualifies as a candidate for such elected position shall immediately notify the Sheriff, in writing, that he or she is a candidate for such office.
- B. The employee will, at that time be placed on unpaid leave status and shall remain on that status until one of the following events occur:
1. The election is completed and the employee either returns to their position in the Department or voluntarily resigns to assume the duties of their elected position;
 2. The individual is disqualified or voluntarily withdraws from the race before the election and notifies the Sheriff, in writing of that fact; or
 3. The employee decides, of their own volition, to resign their position with the Department before the election.
- C. Any employee who complies with all of the provisions set forth within this Order shall be permitted an unpaid leave of absence, without any loss of seniority, pay scale, or benefits, until the one of the conditions described in Section III(B) occurs. At that time, the employee will be expected to return to work in either their former position or in a reassigned position which, under the circumstances relating to their prior role, absence, and status of replacement employee the Sheriff may deem appropriate.

D. Nothing contained within this Order should be considered to discourage an employee from seeking elected office, if that is their goal. However, compliance with these provisions will be required in such cases.

IV. RESPONSIBILITIES: Knowledge of this Order and compliance with all terms, shall be the responsibility of each employee. Failure to comply with all provisions of this policy in a timely manner may result in discipline including, but not limited to, termination of employment.

GENERAL ORDER 	Effective: 03-20-15	# 09-01
	Section: Operations	Replaces or Modifies: GO 26
	Title: Vehicle Pursuits / Call Responses	
Issued by: Chief Deputy D. Marcaurele <i>DM</i>		

Purpose:

To establish procedures for vehicle pursuits and driving standards for responses to calls for service.

Policy:

It is the policy of the Fort Bend County Sheriff's Office (FBCSO) that employees will adhere to established agency procedures and state law to ensure the safety of employees and citizens while employees are operating vehicles (including but not limited to pursuits and response to calls for service).

Definitions:

Authorized Emergency Vehicles – All FBCSO vehicles being operated by a FBCSO peace officer. [legal reference: Texas Transportation Code 541.201 (1)(A) & (13-a)]

Emergency Call for Service – A response to a situation where there is reasonable cause to believe that there is an ongoing risk of injury or death to persons involved in the situation, there is a felony in progress, or where a supervisor authorizes emergency response based upon articulable facts supporting an emergency response based upon reasonable public safety concerns in a particular situation.

FBCSO vehicle – defined in General Order 05-03.

Pursuit - A multi-stage process by which a peace officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle.

Shift Commander – The on duty shift Lieutenant in Patrol. In the absence of a Lieutenant, the Commander over the Patrol Division will establish a system of designating an on duty sergeant as shift commander (this system will include a mechanism to insure that Dispatch is aware of who the shift commander is for each shift). A shift commander is not relieved of this function until another shift commander takes his/her place.

Procedure:

SECTION ONE: Operating Vehicles in Routine Driving and Responding to Calls for Service

I. Rules on Operating Vehicles

- A. Except where a different operating procedure/guidance is provided by this General Order (09-01) - FBCSO vehicles will be operated in compliance with General Order 05-03.
- B. Except where a different operating procedure/guidance is provided by this General Order (09-01) - FBCSO authorized emergency vehicles may park or stand, irrespective of Laws regulating parking or standing; proceed past a red or stop signal or stop sign, after slowing as necessary for safe operation; exceed a maximum speed limit (as long as the driver does not endanger life or property); and disregard a regulation governing the

direction of movement or turning in specified directions – when engaged in the following activities: [legal reference Texas Transportation Code 546.001 & 546.004]

1. Responding to emergency calls for service - In these cases emergency lights and siren are to be used except where their use is reasonably seen to warn perpetrators of police presence and said presence might enable escape of perpetrators, destruction of evidence, and/or increase danger to the public. Emergency lights and siren may be used independent of each other (FBCSO employees are to continuously assess situations and tailor response to public safety needs). An employee who is not using lights or siren in these responses will indicate this to Dispatch by the term "Code 2".
2. Overtaking speeding vehicles - In these cases emergency lights and siren are to be used except where their use is reasonably seen to warn perpetrators of police presence and said presence might enable escape of perpetrators, destruction of evidence, and/or increase danger to the public. Emergency lights and siren may be used independent of each other (FBCSO employees are to continuously assess situations and tailor response to public safety needs). Further, it may be advisable not to activate emergency lights/siren until in close proximity to a vehicle to decrease chances for fleeing.
3. Pursuits - In these cases emergency lights and siren are to be used by all FBCSO vehicles actively engaged in the pursuit. {see also Section Two of this General Order for particular procedures concerning pursuits}.
4. Conducting an FBCSO approved police escort as defined in Texas Transportation Code 546.002(a)
5. Directing or diverting traffic for public safety purposes.

C. In all cases, each employee has a duty of care to operate FBCSO vehicles with appropriate regard for the safety of all persons [legal reference Texas Transportation Code 546.005]

1. Each employee is accountable for the consequences of the employee's reckless disregard for the safety of others.
2. Each employee is responsible for driving within the limitations of the vehicle being operated. This includes but is not limited to issues such as distance required to come to a stop at any given speed, risk of rollover, areas of limited vision "blind spots"....
3. Each employee is responsible to drive at a speed that provides a reasonable degree of safety at all times (regardless of the seriousness of the situation). While there is no set limit on top speed for operation of vehicles in emergency situations, employees may be disciplined for crashes where travelling at a high speed is determined to be a contributing factor. Employees may also be disciplined in cases where review indicates their rate of speed was unwarranted or unsafe. Employees are reminded that high speed operation of vehicles significantly diminishes the driver's ability to react - especially concerning intersections (public and private), curves, roadway obstacles, and pedestrians.

SECTION TWO: Pursuits

I. Vehicles authorized for pursuits:

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III. Primary Unit

- A. The police vehicle closest to the fleeing vehicle. Generally this is the vehicle initiating the pursuit and remains primary until relieved of this duty by another unit when necessary.
- B. In order to diminish the likelihood of a pursuit, employees intending to stop a vehicle should, when practical, be in close proximity of the vehicle prior to activating emergency equipment.
- C. The employee initiating a pursuit shall notify Dispatch that a pursuit is underway and provide the following information:
 - 1. Employee's unit identification;
 - 2. Location, speed, and direction of travel;
 - 3. Vehicle description;
 - 4. Reason for pursuit.
- D. The primary unit will initially keep Dispatch informed of the status of the pursuit. Failure to provide the above information may be cause for a patrol supervisor or Shift Commander to order termination of the pursuit.

IV. Other Unit Responsibilities

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V. Dispatch responsibilities:

- A. Will be responsible to notify a patrol supervisor of the pursuit.
- B. Receive and record all incoming information on the pursuit and the pursued vehicle.
- C. Clear primary radio channel of unnecessary traffic and advise all other law enforcement units that a pursuit is in progress, providing all relevant information.
- D. Perform relevant record and motor vehicle checks. During the vehicular pursuit Dispatch personnel will use any available information to further develop and ascertain the possible identity of the fleeing driver and/or occupants, plus attempt to discover other possible reasons for which the individual(s) might be fleeing. (i.e. wanted/suspect vehicle, etc.)
- E. Will forward any pertinent information regarding safety issues to the pursuing employees. All other information will be held until requested by involved employees.
- F. Coordinate assistance under the direction of the patrol supervisor.
- G. Continue to monitor the pursuit until it has been terminated.

VI. Supervisor responsibilities:

- A. A supervisor will assert control by monitoring the pursuit and taking the necessary action to ensure compliance with this General Order, until the pursuit is concluded. The supervisor performing this task will make this known to dispatch over the air.
- B. In the absence of adequate information from the primary or secondary unit, a supervisor will order the termination of the pursuit.
- C. When the public safety risks outweigh the immediate need to apprehend, a supervisor will order employees to terminate the pursuit.
- D. It is not necessary that a supervisor be physically present in order to coordinate and assert control of the pursuit.
- E. Should promptly proceed to the termination point to provide guidance and necessary supervision.
- F. Has the authority and responsibility to assign or disregard additional employees, as deemed necessary to control the incident.
- G. The Shift Commander will either act as the Supervisor over the pursuit or if another Supervisor has taken this function monitor the pursuit and issue necessary orders to

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enforce this General Order.

VII. Emergency vehicle operation and tactics concerning Pursuits

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VIII. Pursuits leaving Fort Bend County

- A. When the pursuit continues beyond the boundaries of Fort Bend County, the pursuing employees will notify Dispatch who will notify the appropriate jurisdictional law enforcement agency.
- B. Pursuit beyond the boundaries of Fort Bend County will only continue with the approval of the Shift Commander or higher authority. The approving authority will monitor the pursuit and will make determination on terminating the pursuit based upon overall public safety interests.

X. Pursuits in Fort Bend County involving other Agencies

- A. When other law enforcement agencies are involved in a pursuit approaching or entering the unincorporated areas of Fort Bend County, FBCSO employees will act as support units only. FBCSO employees will only become the primary unit, secondary unit, or backup unit after approval for this is obtained from the Shift Commander or higher authority.
- B. Prior to authorizing active engagement the supervisory authority will assess the following
 1. Reason for the pursuit;
 2. Number of occupants;
 3. Number of pursuing law enforcement units;
 4. The ability to communicate directly with all participating law enforcement agencies.
- C. FBCSO employees will terminate the pursuit if the pursuit was initiated by another

agency, the pursuit enters into an incorporated City, and there is a minimum of two other non FBCSO vehicles involved in the pursuit. Any exception to this must have approval of the Shift Commander or higher authority.



- D. FBCSO employees must continually appraise the need for the pursuit and may at their own discretion terminate their involvement, notifying dispatch.

XI. Termination of Pursuits

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XII. Reporting responsibilities

- A. The initiating employee is generally the primary reporting employee and responsible for the offense report.
- B. All employees involved in the pursuit shall submit a written supplement report, which will include details on their involvement.
- C. A Pursuit Review will be completed on all pursuits on the form and in the manner approved by the Chief Deputy.
- D. After a Pursuit Review is completed, the Chief Deputy will assign responsibility for maintenance of the documentation.

	SPECIAL ORDER	# 2014-01
	Effective: 12-31-14	Replaces or Modifies: Parts of GO 11 & 12
	Expires: SEE BODY of ORDER	Title: Modification to Authorized Firearms and Use of Force General Orders
Issued by: Chief Deputy D. Marcaurele 		

Authority:

Special Orders are authorized by General Order 01-01 II.A.1.

Purpose:


The Fort Bend County Sheriff's Office (FBCSO) General Orders 11 (Use of Force) and 12 (Firearms, their Use and the Use of Deadly Force) are currently under review. In the year 2015 these General Orders will be replaced with updated versions.

In the interim this Special Order will modify certain parts of said General Orders. The only elements changed on the affected General Orders are those within this Special Order (all other elements of the affected General Orders remain in effect until the General Orders are replaced with updated versions).

This Special Order remains in effect until General Orders 11 & 12 are replaced with updated versions or 12-31-15 (which ever date occurs first). Conflict between this Special Order and a General Order is to be resolved in favor of this Special Order.

Modification of General Order 11:

- I. The use of force by law enforcement and county jail personnel is a matter of critical concern to both the public and employees of the FBCSO. Peace Officers and Civilian Detention personnel are involved on a daily basis in numerous and varied encounters with the public / detained persons and when warranted, are expected to exercise lawful and appropriate control over others when carrying out their duties.
- II. Objectively Reasonable is defined as an objective standard viewed from the perspective of a reasonable Peace Officer or Civilian Employee in a use of force situation at the time the force is used (without benefit of 20/20 hindsight) and while considering the totality of the circumstances present at the time of the incident.
- III. While the type and extent of force may vary, it is the policy of the FBCSO that employees use only the amount of objectively reasonable force which appears necessary under the circumstance to successfully accomplish the legitimate law enforcement / detention purposes in accordance with Law and FBCSO policy.
 - A. Given that no policy can realistically predict every situation an employee might encounter, it is recognized that each employee must be entrusted with well-reasoned discretion in determining the appropriate response to resistance in each incident.
 - B. Circumstances may arise in which employees reasonably believe that it would be impracticable or ineffective to use any of the standard tools, weapons, or methods approved by the FBCSO. Employees may find it more effective or practicable to improvise their response to rapidly unfolding conditions they are confronting. In


SPECIAL ORDER 	Effective: 12-31-14	# 2014-01
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such circumstances, the use of any improvised device or method must still be objectively reasonable and used only to the extent which reasonably appears necessary to accomplish a legitimate law enforcement / detention purpose.

- C. While it is the ultimate objective of every law enforcement / detention encounter to minimize injury to everyone involved, nothing in the FBCSO policies on use of force requires that an employee actually sustain physical injury before applying objectively reasonable force.

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- V. Whenever using an approved restraint device other than normal handcuffing, the following rules apply
- A. If practicable, a supervisor should be notified of the intent to apply such restraints and the supervisor will approve/deny authority for use.
 - B. In all use cases a supervisor will be notified as soon as is practicable after the use of such restraints [with notification / actions noted in the report(s) or supplement(s)].
 - C. Supervisor(s) are to respond to situations where these types of restraints are utilized to monitor and issue orders for action as appropriate.
 - D. Devices will not be used in a manner that connects the hands to the legs/feet. The position created by this type of restraint increases the potential risk of positional asphyxiation.
 - E. Devices will remain on the subject until he/she no longer poses a threat or a medical emergency dictates removal.
 - F. Once secured by a restraint device:
 - i. The subject should be placed in a seated or upright position.
 - ii. The subject should not be placed on their stomach for an extended period of time (as this may potentially reduce their ability to breathe).
 - iii. The subject should be constantly watched by an employee while in the restraint. Observer(s) are to ensure that the subject does not roll onto and remain on his/her stomach. Observer(s) should look for signs of labored breathing and, where practicable, take appropriate steps to relieve or minimize any obvious factors contributing to this condition.
 - iv. In the event that it appears reasonably necessary to restrain the subject in such position that the subject's ability to sit upright is restricted, an

<p>SPECIAL ORDER</p> 	Effective: 12-31-14	# 2014-01
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employee should monitor the subject in an effort to minimize restricted breathing. The subject should be placed in an upright position as soon as it reasonably appears safe and practicable.

Modification of General Order 12:

- I. Approved Firearms – Primary duty handguns for uniformed personnel
 - A. Uniformed personnel are those wearing a Class A, B, C, or D uniform (as defined in General Order 02-02) and primary duty handgun is the handgun an employee has qualified with and normally carries while on duty in uniform (does not include a back up weapon).

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- II. Back Up, Plain Clothes Wear, and Off Duty (except when in uniform and/or performing Law Enforcement Outside Employment as defined in General Order 04-05 – in these instances provisions of I. above shall be followed as applicable) shall continue to follow the provisions in General Order 12 until replaced with an updated version.
- III. If an employee disputes the determination of their primary duty handgun and agreement cannot be reached on this between the employee and the Firearms Proficiency Officer, the matter will be referred to the Chief Deputy for final resolution.

<p style="text-align: center;">SPECIAL ORDER</p> 	Effective: 12-31-14	# 2014-01
	Expires: SEE BODY of ORDER	Replaces or Modifies: Parts of GO 11 & 12
	<p>Title: Modification to Authorized Firearms and Use of Force General Orders</p> <p>Issued by: Chief Deputy D. Marcaurele <i>DM</i></p>	

- IV. Division Commanders will assist the Firearms Proficiency Officer in his/her duty to have any employee affected by a change of duty weapon as a result of policy given transitional training / qualification.
- V. Only the Sheriff or Chief Deputy may issue waivers, make appointments, or give authorizations concerning this Special Order and/or General Order 12.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 11

SUBJECT: Use of Force

GENERAL POLICY: Commissioned members of the Fort Bend County Sheriff's Office will familiarize themselves with and be guided by, the provisions of the Texas Penal Code concerning the Use of Force.

Attention is directed to the following sections:

- PC 9.21 Public Duty
- PC 9.22 Necessity
- PC 9.31 Self Defense
- PC 9.32 Deadly Force in Defense of Person
- PC 9.33 Defense of Third Person
- PC 9.34 Protection of Life or Health
- PC 9.42 Deadly Force to Protect Property
- PC 9.43 Protection of Third Person's Property
- PC 9.51 Arrest and Search
- PC 9.52 Prevention of Escape from Custody

In every situation, no more force shall be used than is necessary under the circumstances.

Officers will be guided in the use of Non-Lethal Weapons in accordance with Appendix 1 (Police Batons), Appendix 2 (Oleoresin Capsicum) and Appendix 3 (Other Non-Lethal Devices).

The absence of provisions for a specific type of non-lethal weapon shall prohibit use of the same.

TENNESSEE V. GARNER
471 U.S.1 (1985)

ISSUE: Is the use of deadly force to prevent the escape of an individual suspected of a non-violent felony constitutional?

NO

SUPREME COURT DECISION: Deadly force may not be used unless it is necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.

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DATE 12-2-99

TO FORT BEND SHERIFF'S DEPARTMENT PERSONNEL

FROM SHERIFF MILTON WRIGHT

MW 12-2-99

SUB. ADDITION TO DEPARTMENTAL MANUAL

THE ATTACHED APPENDIX CONCERNING IMPACT MUNITIONS IS TO BE
INSTALLED INTO THE DEPARTMENTAL MANUAL AS APPENDIX 4 TO
GENERAL ORDER #11 (USE OF FORCE)

SUPERVISORS WILL BE RESPONSIBLE TO SUBMIT COPIES TO THEIR
PERSONNEL AND TO ENSURE THAT THE APPENDIX IS INSTALLED IN
THEIR ASSIGNED MANUAL.

DATE 9-11-00

TO SHERIFF'S DEPARTMENT PERSONNEL

FROM SHERIFF MILTON WRIGHT *MU*

SUB. MANUAL CHANGE

PLEASE ADJUST YOUR FORT BEND COUNTY
SHERIFF'S OFFICE POLICY AND PROCEDURES
MANUAL AS INDICATED.

REMOVE: APPENDIX 4, CHAPTER 11 (USE OF FORCE)

ADD: REVISED APPENDIX 4, CHAPTER 11 (THREE
PAGES)

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APPENDIX 4-A
LESS LETHAL IMPACT MUNITION
REPORT FORM

DATE _____ TIME _____

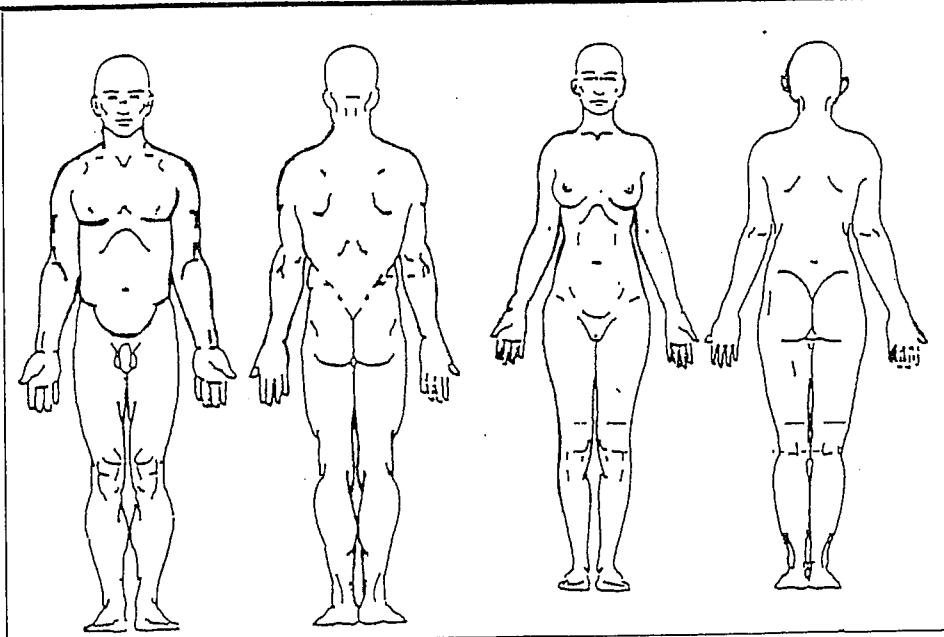
DEPUTY _____

SUBJECT: _____ CASE NO. _____

REASON FOR ADMINISTERING IMPACT MUNITION

NUMBER OF ROUNDS FIRED AND EFFECT

INJURIES AND MEDICAL ATTENTION RENDERED



PLACE AN X ON AREA IMPACTED

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3. Probe removal and disposal will comply with mandated training.

C. Reporting

1. In all instances where the Taser is used; spark display, drive stun, and probe deployment, the Taser Usage Report will be completed and turned in to the Shift Supervisor.
2. In all instances where the Taser is deployed (drive stun or probe deployment), and contact with the suspect is made an Offense report or Significant Incident report will be made and appropriate charges will be filed.
3. Photographs will be taken of any injuries (i.e., probe impact site, drive stun marks or any other injuries sustained during or after deployment) and placed into evidence.
4. In all instances where the Taser is deployed (drive stun, probe deployment) and contact is made, the Deputy will within one week submit the Taser to a Taser control officer for data download.

D. Maintenance

1. All repairs and attempted repairs will only be done by the Taser factory or their representatives.

TASER USAGE REPORT

Case Number:

Date of the incident:

Time of incident:

Location of the Incident: Inside Outside Open Area Enclosed Area Vehicle

Subjects Name: Last:

First:

Call Type:

Photographs Taken: Yes No

Supervisors: Sgt:

Report Completed By:

Serial Number of Device:

Serial Number of probe cartridge if expended:

Deputies Involved:

Primary _____

Support _____

Support _____

Support _____

APPLICATION INFORMATION

Advanced Taser Probe Contact: Yes No Touch Stun Gun Contact: Yes No

Number of times Taser Display Only _____
Number of Touch Stuns _____
Number of times Applied (Probe Contact) _____
Number of activations after probe contact _____

Approximate Target Distance at the time of dart Launch:

Did the taser gain subjects compliance: Yes No Need for Additional Shot: Yes No

Did the dart contacts penetrate the subjects skin: Yes No

Was the subject under the influence of: Drugs Alcohol

Subject's demeanor after taser was used or displayed: Cooperative Belligerent Combative
Abusive Aggressive Complaining

MEDICAL INFORMATION

Was a Deputy or Citizen injured: Yes No

Nature of injury and Medical Treatment Required other than normal injury caused by
Taser darts:

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FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 12

SUBJECT: Policy Governing Firearms, their Use and the use of Deadly Force

- I. PURPOSE:** This directive prescribes the policy that will be observed by all personnel, of the Fort Bend County Sheriff's Office and its Reserve Force regarding firearms and their use.
- II. POLICY:** No Employee of the Department shall, under any circumstances, carry a firearm, either on duty or off duty, until familiar with this order and the Department General Order dealing with the use of Force, and unless authorized by law. It is the policy of this Department that deadly force will be used only when justified by the then current provisions of Chapter 9, Texas Penal Code or revisions thereof.
- A. Firearms: Discharge during the performance on duty and/or off duty. (All requirements and provisions of this order shall apply to the carrying of handguns and ammunition while off duty as well as on duty.)**
1. "Warning Shots": Under no circumstances may an employee of this Department discharge warning shots.
 2. Procedure to follow after instances of weapon discharge: On every occasion wherein an employee of this Department discharges a weapon the Communications division will immediately be notified. In addition, complete written reports regarding all factors surrounding the incident will be submitted to the Division Commander of the concerned individual prior to the end of the tour of duty during which the incident occurred by all personnel involved, witnessing or having pertinent information regarding the incident.
 3. Communications: Upon notification of Deputy – involved shooting incident:
 - a. Determine whether injury or non-injury.
 - b. Notify immediate supervisor and Division Commander of Deputy involved.
 4. Supervisor: Upon notification of the Deputy – involved shooting incident, determine whether non-injury or injury.
 - a. Non-injury incident. Make on scene investigation, review reports, make determination of sufficiency of investigation regarding property damage, justification of usage of weapon and safety procedures. Make recommendations regarding any deficiency in above and submit to the Division Commander.
 - b. Injury. Follow routine procedures for major crime scene, i.e., provide care for injuries, preserve crime scene, separate witnesses, etc.
 5. Internal Affairs: Upon notification of a Deputy – involved shooting incident involving injury, the Sheriff or Chief Deputy will make a determination of manpower requirements and assign same, and notify the Office of the District Attorney. The investigative team, under the direction of the Supervisor, will thereafter make a thorough investigation of all factors related to the incident. A complete report of the incident will be forwarded to the Deputy's Division Commander who will in turn forward same to the Chief Deputy.
- B Discharge of Weapon in Other Jurisdiction:** Incidents arising out of "hot pursuit" cases and in cases where the Department acted alone, primary responsibility for investigation of Deputy – involved shooting cases rests with the agency in whose jurisdiction the incident occurs. In cases in which some other agency has jurisdiction, (such as Deputy assisting with a robbery case in the City

of Houston), whether the Deputy is "on duty" or "off duty", the following procedures will be followed.

1. Non-injury cases: The Deputy involved will request a copy of reports of the incident be sent to his/her immediate supervisor for evaluation as in Section 11.A.2 of this General Order.
2. Injury cases.
 - a. The Deputy involved will be responsible for seeing that the Communications Division is advised of the incident as soon as possible.
 - b. The Communications Division will notify the Criminal Investigation Division Supervisor and the Division Commander of the Deputy involved, as set forth in Section II.A.3 of this General Order.
 - c. The Criminal Investigation Division Supervisor will contact the Deputy involved and the senior officer (of the other agency) in charge of the investigation as soon as possible. The Criminal Investigation Division supervisor will submit a report of the Deputy's involvement in the incident, based upon a complete investigation, including interviews of the Deputy and anyone else involved in the incident. In that regard all personnel of this Department will cooperate fully in any such investigation, whether by this Department or by another agency.

III. FIREARMS TRAINING POLICY: This section of the General Order outlines rules and procedures pertaining to firearms training, qualification, proficiency demonstration, and related matters. The conditions and requirements set forth in this section shall apply to all firearm weapons, regardless if the weapon is to be used on duty or off duty.

A. Handgun Qualification and Proficiency Demonstration.

1. Schedule: All sworn personnel shall demonstrate proficiency with their weapon on at least an annual basis. The annual qualification will be on the third Tuesday of each month. Officers will be required to attend the month that their birthday falls on. The manner of proficiency shall be designated by the Department and will be in compliance with the law. At least one of the scheduled sessions shall be discharged using live ammunition and shall be in compliance with current Texas Commission of Law Enforcement Officer Standards and Education. All Divisions of the Department will be notified in writing of the designated schedule for each proficiency session by the Firearms Proficiency Officer at least one month prior to the session date.
 - a. See attached Attachment #5.
2. Attendance: Licensed Deputies and Reserve Deputies are required to participate in scheduled firearms proficiency sessions. If excused, from a scheduled proficiency session, the Deputy must participate in a "make-up" session, as scheduled by the Firearms Proficiency Officer.
 - a. Any excuse not to attend a scheduled qualification must be approved by the appropriate Division Commander and the Firearms proficiency Officer prior to the qualification date.
 - b. It is the responsibility of the Firearms Proficiency Officer to schedule a "make up" qualification for any personnel who have an excused absence from a scheduled qualification. It shall be the Division Commander's responsibility to ensure that the Deputy attends this "make up" qualification.

- c. Any Deputy who does not demonstrate proficiency to the satisfaction of the Firearms proficiency Officer shall be required to participate in scheduled remedial training. The type, course and schedule of this training shall be determined by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff.
 - d. The Deputy must demonstrate proficiency with his/her rifle or shotgun annually.
 3. Qualification Score: The qualification score, for those firearm sessions that require scoring, shall be set by the Department, in complete compliance with the standards as set by the Texas Commission on Law Enforcement Officer Standards and Education. This score will be published at the time that the qualification schedule is published.
 - a. Any Deputy who does not shoot a qualifying score shall be immediately reported to his/her Division commander by the Firearms Proficiency Officer and thereafter scheduled for remedial training as set forth in Section III, A.2(c) above.
 - b. Failure of the Deputy to qualify at the scheduled remedial session may result in suspension without pay until the deputy demonstrates minimum standards of firearms proficiency in effect at that time.
 4. Type of Shooting Program: the course of fire, schedule, location, and overall program is to be developed by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. In addition to standard live fire, the Firearms Training System, F.A.T.S., or simulation may be utilized. In the event that Department personnel qualify with another agency, said agency must be approved by the Firearms Proficiency Officer prior to the qualification and all scores must be certified by the host agency's range master or Firearms Proficiency Officer.
 5. All sworn personnel of the department will have a separate firearms file which will contain a complete description of the weapon qualified with, along with a "PASS or FAIL" score. It is the duty of the Firearms Proficiency Officer to maintain these records. These records shall include, but not limited to, individual scoring sheets from any qualification session, computer readouts from the "F.A.T.S." System, and other printed material deemed important to the individual file by the Firearms Proficiency Officer.
 6. Range Clothing and Equipment: Range clothing and equipment for each firearms session shall be specified by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. Range clothing will be as follows: **RED SHIRTS** will be worn by the Firearms Instructors and Proficiency Officer **ONLY**. All others will wear a sleeve type shirt, pants with belt loops, belt and their duty rig, holster or purse as they carry their weapon on/off duty. No warm-up, draw-string type pants or shorts will be allowed on the Range unless specified by the Firearms Proficiency Officer.
 7. Ammunition: Only ammunition either supplied by the Department, or specified by the Firearms Proficiency Officer, in conjunction with the Department Staff, shall be used in any firearm qualification session or proficiency demonstration. Only ammunition so specified is approved for on duty, and off duty, use by sworn personnel of the Department. The Firearms Proficiency Officer shall be responsible for publishing a list of ammunition for each approved weapon. The list shall be updated from time to time by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. This ammunition restriction shall apply to every situation and duty status, including firearms qualification sessions.

8. Special Qualification Restrictions:

- a. All sworn personnel who choose to carry a Revolver with .357 magnum ammunition, either on-duty or off-duty, will shoot that ammunition in each stage of the qualification course. Failure to qualify with this ammunition will preclude their use of it in their handgun.
- b. Should the Department Armorer determine through weapons inspection that a primary handgun is unfit for service, the Deputy shall be prohibited from carrying such firearm until appropriate repairs have been made and the firearm has been reinspected and accepted as fit for service by the Department Armorer. Should the Deputy be unable to furnish a suitable firearm for qualification and interim duty use, the Department Armorer shall issue the Deputy an Academy handgun and holster for qualification. The Deputy, after qualifying with the handgun, shall carry the issued handgun until his/her primary handgun has been certified as fit for service by the Department Armorer. The Academy handgun should be returned within two weeks or as soon as the primary handgun is repaired. Should repairs necessitate more than a two week period, the Deputy shall inform the Department Armorer and obtain approval for continued use of the Academy handgun. The Deputy shall qualify with the repaired primary handgun prior to carrying it on or off duty.

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F. Range Rules:

All personnel of the Department will comply with the range rules, as set forth in Attachment 2 of this General Order.

V. **RESERVE DEPUTIES:** The provisions of this General Order shall apply with the same force and effect to all members of the Fort Bend County Sheriff's Reserves. During those qualifications ammunition shall also be provided to Reserve Deputies.

VI. **RETIRED DEPUTIES:**

Reference Senate Bill No. 117 section 1701.357, enacted by the legislature of the State of Texas: WEAPONS PROFICIENCY FOR CERTAIN RETIRED PEACE OFFICERS AND FEDERAL CRIMINAL INVESTIGATORS. The Sheriff may allow an honorably retired peace officer from the Fort Bend County Sheriff's Office or a Federal Criminal Investigator, to demonstrate weapons proficiency if the retired officer provides to the agency a sworn affidavit stating that:

- A. The officer honorably retired after not less than 20 years of service as a commissioned officer.
- B. The officer's license as a commissioned officer was not revoked or suspended for any period during the officer's term of service as a commissioned officer.
- C. The officer has no psychological or physical disability that would interfere with the officer's proper handling of a handgun.

The Fort Bend County Sheriff's Office shall issue the certificate to a retired officer who satisfactorily demonstrates weapons proficiency under the agencies firearms policies.

The Fort Bend County Sheriff's Office shall maintain records of any retired officers who hold a certificate issued under this policy.

A certificate issued under this section expires on the second anniversary of the date the certificate was issued.

The Sheriff may allow an honorable retired federal criminal investigator to demonstrate weapons proficiency in the same manner as, an honorably retired peace officer described above. The Fort Bend County Sheriff's Office shall maintain records and issue a certificate of proficiency to an honorable retired federal criminal investigator who meets the requirements of this section.

An honorably retired peace officer or federal criminal investigator who holds a certificate of proficiency issued under Section 1701.357, Occupations Code, and is carrying a photo identification that: Verifies that the officer honorably retired after not less than 20 years of service as a commissioned officer and is issued by the agency from which the peace officer retired or, for a federal criminal investigator.

VI. Any variance to this policy must be approved by the Sheriff.

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ATTACHMENT 2

RANGE RULES

- I. **DEFINITION AND AUTHORITY:** Where herein used, the term "Range Officer" shall apply to personnel in charge of the range operation of the firearms session. These individuals shall be identified to personnel participating in firearm sessions by the Firearms Proficiency Officer or other appropriate Department Staff.
- A. The Range Officer(s) shall have sole authority in all range operations. All range rules shall be enforced by the Range Officer(s), who have authority to remove anyone from the range for violation of safety rules, horseplay, or other conduct which would adversely effect the session. All such violations will result in removal from the range and a written incident report to the appropriate Division Commander.
- B. Any incident described in A above shall be reported in writing to the firearms Proficiency Officer and the appropriate Division Commander by the Range Officer involved.
- II. **SAFETY:**
- A. All weapons to be used in any firearms session will be inspected by a Range officer prior to their use and he/she shall have absolute authority regarding the use of that weapon.
- B. Unless specifically ordered otherwise by the Range Officer, all weapons must be unloaded and holstered at all times. No dry firing, practice loading or other type of exercise shall take place without proper command to do so.
- C. Weapons will be loaded only upon command to do so. When loaded, personnel are not to touch the trigger of the weapon or place his/her finger inside the trigger guard, until ready to fire and the command to do so is given.
- D. All weapons must be pointed down range at all times. Firing will take place only on command.
- E. In the event of any malfunction of any weapon, clear the malfunction and continue to fire if safe to do so. Any weapon which is dropped or subjected to a severe blow must be inspected by a Range Officer prior to its continued use.
- F. All weapons must be cleared of live ammunition and/or empty brass prior to leaving the firing line.
- G. Hearing and eye protectors will be provided and their use is **MANDATORY**.
- III. **RANGE PROCEDURES:**
- A. There will be NO SMOKING on the firing line. Only those firing or coaching will be permitted on the firing line. Spectators will not be permitted at firearms sessions without proper authorization.
- B. All exercises at the range shall be at the direction of the Range Officer. No one will go down range, handle weapons and/or ammunition or discharge any other session activity without proper authorization.

ATTACHMENT 3

FORT BEND COUNTY SHERIFF'S OFFICE
AUTHORIZATION TO CARRY OFF DUTY WEAPON

THE FOLLOWING WEAPON IS TO BE CARRIED BY ME IN AN "OFF DUTY" CAPACITY AND HAS NOT BEEN AUTHORIZED FOR "ON DUTY" SERVICE.

DEPUTY: _____

MANUFACTURER: _____

CALIBER: _____

SERIAL NUMBER: _____

DATE OF REQUEST FOR APPROVAL: _____

FIREARM INSTRUCTOR

APPROVED _____

DATE: _____ DISAPPROVED _____

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Attachment 5

New Sworn Personnel shall qualify with their duty and off duty weapon on the next immediate qualification date from their date of hire.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 14

SUBJECT: Technology Policy

Overview

This General Order sets forth the Fort Bend County Sheriff's Office (FBCSO) policy with regard to the use of technology in the work environment, which includes but is not limited to computer workstations, laptop computers, mobile data terminals, electronic mail, Tiburon and the FBCSO connection(s) to the Internet and any other information/technology services. This policy also includes the FBCSO requirements with respect to the confidentiality of information, security of systems and the licensing of computer programs.

The guidelines in this document are applicable to employees and other agencies who make use of FBCSO technology.

Guidelines

A. Purpose and Ownership of Computer Systems and Software

The electronic mail system, the Internet and any other information/technology services, and the computer workstation (and if applicable, laptop computer) are provided by the FBCSO for your use as an Employee. These assets include PC hardware, hard disks, cd-roms and floppy diskettes (including the data that resides on them), application software, database files, electronic communication systems as well as the voicemail phone-message system. The FBCSO provides these resources to enhance each Employee's job performance and productivity.

Employees should treat these systems and resources like shared filing systems - with the expectation that messages sent or received or information contained in the system (whether personal or business) will be available for review by any authorized representative of the FBCSO for any purpose deemed appropriate.

B. Electronic Mail

All messages sent or received via electronic mail are Fort Bend County records. As a matter of trust, the FBCSO does not currently actively monitor its equipment and/or communication systems other than for routine backup, storage or expense control reasons. Electronic communication and computer systems - and the messages or files they store - are NOT private property. They are Agency-owned assets and, as such, the FBCSO retains the right to monitor, copy, backup or delete them as part of its normal business practice. This includes the right to access, disclose or delete all messages sent over its electronic mail system for any appropriate purpose, including but not limited to, determining whether there have been any breaches of security, violations of Agency policy, or defalcations of duty on the part of the Employee.

The FBCSO may also disclose for any purpose the contents of electronic mail messages sent to or received by FBCSO Employees, and the FBCSO may use information regarding the content, number, sender, recipient and addresses of messages sent over the electronic mail system for any purpose deemed appropriate.

FBCSO recognizes that some personal use is a natural occurrence in the work environment. Such use is acceptable provided that it is not extensive or detrimental to the Agency. However, as indicated above, Employees have no greater expectation of privacy in messages of a personal nature than with respect to other electronic messages or information.

It is a violation of the FBCSO policy for any Employee to use the electronic mail and computer systems for purposes of satisfying idle curiosity about the affairs of others, or otherwise without any legitimate and substantial business purpose.

C. Passwords and System Security

Security of the equipment, programs and resources is critical to the proper functioning of the FBCSO.

Only programs and equipment specifically approved by or installed by the **Support Services Division** are permitted. In order to protect the security of the system, Employees must maintain passwords to access the system, and your password is not to be shared with anyone, except to provide temporary access to a workstation for a short-term, emergency requirement. If a password is given to another associate for this purpose, the password should be promptly changed by the workstation owner following the resolution of the emergency

Any attempt by an Employee to breach the security of the system, by sharing passwords, using another Employee's password, trying to gain access to programs, directories, servers, databases or telephone lines to which the Employee has not been granted access by Support Services, the Sheriff or Chief Deputy, or other means of whatever nature or extent, will subject the Employee to disciplinary action up to and including termination.

Where an Employee has been provided a FBCSO-owned laptop computer for business purposes, the same rules provided above will apply. In addition, the Employee will be expected to execute a "Receipt for Hardware and Software", which will be kept on file by Support Services.

D. Licensing and Development of Computer Software

The FBCSO licenses the computer software it uses from a variety of affiliated and unaffiliated companies. The FBCSO does not own this software but purchases such licenses in order to be able to use the software. ***Any unauthorized reproduction or copying of such software, whether for business or personal use, is prohibited.*** All software may be used only in accordance with the terms of the license agreement. If you are unsure if an action may violate such a license agreement, request authorization from your site administrator before proceeding. Misuse of software, equipment or resources will subject the Employee to disciplinary action up to and including termination.

To comply with the standard requirements of most commercial software applications, you must comply with the following:

All software purchases must be requested through the Support Services Division. Introducing unauthorized software or utilities on FBCSO systems, adding software that is personally purchased or developed for non-FBCSO business to the FBCSO storage devices, or executing this software on FBCSO computers is a violation of this policy. (This includes screen savers and background wallpaper)

Software may be installed only on a single computer. You may not make additional copies for other machines. (NOTE: Some vendors allow for a second copy at home or for a laptop provided that you are the **primary** user of the license. Check your agreement to see if this provision applies to you.)

It is illegal to make copies of any software installed on the network or on your individual workstation to share with someone else (even if it is someone is at the FBCSO) or for use at home.

The FBCSO does not want software from outside the office to be installed on your Agency workstation, whether at the office or at home or on your laptop. Since a license only permits installation on one computer, it is illegal for you to install it on a PC for which it was not purchased. Such action would subject both you and the FBCSO to serious legal penalties. **FBCSO strictly prohibits installation or use of illegal copies of software on its assets.**

E. Internet Specific Requirements

All software downloaded from the Internet must be screened by the **Support Services Division** in order to detect any viruses. Such software is to be tested on a stand-alone computer to prevent a virus from infecting a FBCSO system.

All information from the Internet should be considered suspect until confirmed by separate information from another source. There is no quality control on the Internet and certain information on the Internet is outdated or inaccurate. Employees must not place any FBCSO information on the Internet.

The FBCSO reserves the right to review **all directories** on all FBCSO computers.

F. Accountability

An Employee in possession of Agency Hardware and Software Computer equipment will maintain such equipment in serviceable and good operating condition.

It is the Supervisors responsibility to ensure that all Agency owned equipment in an Employee's possession is returned to the Agency in good working order upon the Agency's request or upon termination of the Employee. The Supervisor should work directly to determine what equipment is an Employee's possession and how to facilitate its return to the Agency.

All Employees further acknowledge that failure to uphold all or any portion of this Policy may result in disciplinary action up to and including termination. In addition, given the need to access files and messages, the FBCSO will not be liable or in any way responsible for any inadvertent, accidental or necessary retrieval, release or review of personal information residing in the equipment or property of the FBCSO.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 15

SUBJECT: Vehicle Inventory Procedures

- I. **PURPOSE:** To establish clear cut procedures for personnel to follow in conducting vehicle inventories based on most recent court decisions that weigh heavily on a departments guidelines for inventory of vehicles supported by the need to protect the owner's property, protect the police from claims of loss, stolen, or vandalized property, and to protect the police from potential danger.

REFERENCE CASES:

Autran vs. State
Rothenberg vs. State

- II. **POLICY:** It shall be the standard operating procedure for the Fort Bend County Sheriff's Office that when the need for storage of a vehicle is required, the Deputy that is responsible for having the vehicle stored shall cause an inventory of the vehicle to be conducted. This inventory shall include but not be limited to the interior of the vehicle and the trunk or bed of the vehicle.

When probable cause becomes evident during the course of an inventory that containers in the vehicle contain contraband they shall be searched, or when it is believed that containers in the vehicle contain personal items of value, they shall be searched.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 20

SUBJECT: Complaint Investigation and Disciplinary Procedures

- I. **PURPOSE:** to establish procedures for receiving and processing complaints against Sheriff's Officer personnel.

To establish a process for administering disciplinary measures for infractions of Departmental policies or illegal acts.

To establish an appeal process for Departmental Employees to be heard concerning disciplinary measures.

- II. **COMPLAINTS:** It is the policy of the Fort Bend County Sheriff's Office to courteously receive and to investigate complaints registered concerning the personal behavior or official acts of its employees.

A complaint is a formal written allegation(s) against a member of the Department, which could result in disciplinary action and which alleges one or more of the following:

- A. An infraction of Departmental rules, regulations or policies,
- B. An illegal act.

- III. **INVESTIGATION:** Complaints will be investigated to the degree necessary to establish all facts and circumstances relative to the allegations.

Complaints involving Departmental infractions only, will ordinarily be investigated by the Division Commander or his/her designee. If the Operations Captain, the Chief Deputy or the Sheriff deems it necessary, the complaint investigation may be assigned to an Investigator from a Division other than the Division of the employee complained on.

Complaints involving illegal acts greater than a Class C misdemeanor will be assigned by the Chief Deputy to a designated Investigator.

Complaints investigated within the Division of the employee complained against will be forwarded through channels with one of the following recommendations:

- A. Unfounded – the allegation is false, not factual.
- B. Exonerated – the incident occurred but was lawful and proper or was justified under existing conditions.
- C. Not Sustained – there is insufficient evidence to prove or disapprove the allegations.
- D. Sustained – the allegation is supported by sufficient evidence.

In those instances where the Sheriff determines the complaint to be sustained, he may implement one or more of the following Departmental actions:

- A. Discharge – an employee is discharged when removed from the payroll for just cause and a letter of resignation was either not submitted or not accepted by the Sheriff.
- B. Demotion – an employee is demoted when reduced from one County salary classification group to a lower group in County salary classification. For purposes of this General Order, such demotions will be for disciplinary measures.
- C. Time Off Without Pay – this action involves time off without pay in terms of working days.
- D. Probation – an employee disciplined by being assigned a period of disciplinary probation will be advised of the conditions and length of his/her probation and what will be expected in terms of performance.

The length of probation will be determined by the Chief Deputy.
- E. Formal Written Reprimand – a written document which details the infraction(s) for which the employee is disciplined and documents corrective measures to be taken by the employee to correct the deficiency.

Nothing in this General Order is to be construed as to prevent routine supervisory activities such as counseling sessions with employees to correct deficiencies, remedial training and corrective measures through job performance evaluations.

IV. APPEAL PROCEDURES: Employees desiring to appeal Departmental decisions of disciplinary actions may do so through two methods.

1. The employee may prepare a memorandum outlining his/her contentions and submit it to his immediate Supervisor requesting an in line review up to and including the Sheriff.

The employee will be given the opportunity to present additional information or evidence not available in the initial investigation. He/she may have an audience with each level of command, if so desired, and may halt the process at any level. He/she may also waive any level of command in the process.
2. An employee may request a hearing before a Grievance Board for any level of disciplinary action greater than a letter of reprimand. He/she shall make the request in writing submitted directly to the Chief Deputy with a copy to each command level.

The Chief Deputy will consider the request and if approved, will assemble a Grievance Board as outlined in General Order 21 with the following modification.

- A. The Chief Deputy will select one Board Member.
- B. The Employee will select one Board Member.
- C. The two Employees selected will select the third Member of the Board. In the event the two Board Members cannot agree on the third Member, a third Member will be appointed by the Chief Deputy.

The Chief Deputy will set a date for the Grievance to be heard and shall preside over the proceedings.

Upon conclusion of the Grievance process, the Board will make a recommendation as to the action to be taken and the Chief Deputy will present the recommendation to the sheriff for final decision.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 22

SUBJECT: Sexual Harassment/Discrimination

I. **POLICY:** The Department's policy is to provide a professional businesslike work environment free from all forms of employee discrimination including incidents of Sexual Harassment. No employee shall be subjected to unsolicited and unwelcome sexual overtures or verbal or physical conduct of a sexual nature. Sexual harassment will be treated as misconduct with appropriate disciplinary sanctions.

II. **PURPOSE:** Under Title VII of the Civil Rights Act of 1964, and similar state statutes, sexual harassment in the workplace constitutes unlawful employment discrimination which may give rise to liability against both the employer and harasser whether the harasser is a supervisory level employee or co-employee of the complainant. The purpose of this order is to define sexual harassment, establish department policy concerning allegations of sexual harassment and establish reporting procedures.

III. **DEFINITIONS:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- B. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
- C. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance creating an intimidating, hostile or offensive working environment.
- D. Each supervisor has the responsibility to assist any employee in this agency, who comes to that supervisor with a complaint of harassment, pending investigation.
- E. Each employee of this agency is responsible for assisting in the prevention or harassment through the following acts:
 - 1. Refraining from participating in, or encouragement of, actions that could be perceived as harassment;
 - 2. Reporting acts of sexual harassment to a supervisor.

IV. **PROCEDURES.**

- A. Any employee who believes that he/she is being harassed, shall report the incident(s) to his/her supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigation and disciplinary measures may be initiated. Where it is not practical to report the incident(s) to the immediate supervisor such as when the supervisor is unavailable or where the allegation of misconduct involves the supervisor, the employee may instead report the incident(s) to another supervisor, or the Chief Deputy of the agency. If the allegation involves the Chief Deputy, the complaint should present the allegation without delay to the Sheriff.
- B. Any complaint of sexual harassment will be promptly and thoroughly investigated by the Sheriff, Chief Deputy or the designated internal investigation authority to verify whether a

violation of law and department policy has occurred. When the allegations are verified, prompt and appropriate corrective action and disciplinary measures, up to and including dismissal, will be implemented.

- C. The Chief Deputy (or Sheriff, if applicable) shall inform the parties involved of the outcome of the investigation.
- D. By way of illustration only, some examples of conduct which could constitute sexual harassment in the workplace under certain circumstances would include but not necessarily be limited to the following:
 - 1. Sexual comments, attempts at humor or innuendoes of a provocative or suggestive nature;
 - 2. Leaving sexually explicit books, magazines, or photographs in the work place;
 - 3. Unwelcome demeaning comments, ridicule, offensive language, propositions or other similar actions;
 - 4. Unwanted, unwarranted, unsolicited off-duty telephone calls and/or contact;
 - 5. Hiring or promoting an employee in exchange for sexual favors or transferring, demoting, or dismissing employees who refuse such sexual advances.

V. EMPLOYEE'S RESPONSIBILITY.

- A. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
 - 1. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
 - 2. Counseling all employees in the types of behavior prohibited, and the agency procedures for reporting and resolving complaints of harassment;
 - 3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether the involved employees are within his/her line of supervision; and
 - 4. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment pending investigation.
- B. An employee reporting an incident of sexual harassment or assisting, testifying or participating in the investigation of such a complaint shall not be subject to any adverse employment action unless it is determined that the employee made the allegation knowing it was false.
- C. Complaints or employees accused of harassment may file a grievance/appeal in accordance with the agency procedures when they disagree with the investigation or the disposition of a harassment claim.

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FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 26

SUBJECT: Policy Governing Emergency and Pursuit Operations

- I. **PURPOSE:** the nature of the Law Enforcement Task occasionally require emergency response to calls for service and the apprehension of law violators. Operating vehicles in the emergency mode increases the risk of accidents to both the public and the officers. It is imperative that utmost caution be exercised in emergency operations. This policy also refers to the normal use, responding to routine calls for service, responding to potential life threatening situations and life threatening situations in order to help insure the safe operation of the vehicle.

II. **GENERAL PROVISIONS:**

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- B. In all cases of emergency vehicle operations, the legal requirement of law applicable to emergency vehicles will be strictly complied with.

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- E. When responding to a call the Deputy must always give consideration to existing traffic conditions, the terrain and the condition of the roadway. The mission to arrive at the scene cannot be accomplished if the Officer is involved in a collision.
- F. When operating an authorized emergency vehicle in emergency mode, operators shall reframe from using cellular phones in order to help insure safe operations of the vehicle.

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- H. It shall be the responsibility of the Supervisor to ensure the Deputy utilizes the proper response to a dispatched call for service.
- I. It shall be the responsibility of the primary responding Deputy or Supervisor, upon arrival on a scene, to advise Dispatch of the situation and request additional Deputies, downgrade responding Deputies or disregard responding Deputies.

III. **DEFINITIONS:**

The following definitions are to offer a guide as to the operation of emergency vehicles under different circumstances.

Authorized Emergency Vehicle – A Sheriff's Office owned or leased vehicle that is fully marked or unmarked and equipped with emergency lights and siren.

Normal Use – Normal driving where there is not a response to a particular call or event.

Routine Calls – Normal calls for service where the crime has already occurred and there is no risk of danger to human life that is apparent. The following are examples, but are not limited to:

1. Alarms (suspects have not been reported to be on location)
2. Routine Report Calls (the offense or event has already occurred and suspect is not on location).
3. Minor Accidents (no injuries).
4. Misdemeanor Property Crimes (already occurred or in progress).
5. Verbal Disturbance.

Potential Life Threatening – Event where there is a potential of injury or death, but it is not readily apparent before or during the response. An event where non-life threatening injury has occurred. The following are examples, but not limited to:

1. Backing up another Deputy on a traffic stop under normal circumstances.
2. Major accidents.
3. Felony property crimes in progress (no victims on location).
4. Assaults (bodily injury only).

Life Threatening – Any event that is in progress or has occurred where it is apparent that there is an actual risk of severe injury or death to a person. The following are examples, but are not limited to:

1. Aggravated crimes in progress where there is an indication that weapons are involved or severe bodily injury or death has or may occur.
2. Officer assist (the Deputy is in an actual aggressive or life threatening situation).
3. Pursuit.

IV. POLICY

- A. It is the policy of the Fort Bend County Sheriff's Office that authorized emergency vehicles operate at the posted speed limit or with the normal flow of traffic while in normal use or responding to routine calls for service. Emergency lights and siren will not be used. This does not prohibit their use on traffic stops.

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V. PURSUIT:

When in pursuit of a suspected violator, the Deputy must again give consideration to the traffic conditions, terrain and roadway conditions, weather conditions, nature of offense, is the pursuing Deputy alone or is another Deputy available as well as staying alert to the actions of the violator.

There are many times when it is not practicable to continue pursuit of a violator. The decision to abandon the pursuit lies primarily with the Officer involved. When in the judgment of the Officer, the mission of the Department can longer be served or when it becomes evident that

continued pursuit will bring unwarranted danger to the public or the Officer, he/she should abandon the pursuit.

It is important that Deputies know the area they work and to understand when conditions arise that clearly call for termination of a pursuit. For example: to chase a speeding vehicle into a school zone as school is turning students out of class, would be difficult to justify.

Supervisory personnel should monitor the pursuit and be ready to assist in decision making when necessary.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 27

SUBJECT: POLICY GOVERNING SOCIAL MEDIA/NETWORKING

- I. **PURPOSE:** Social networking and social media sites have become a part of mainstream society. This policy is designed to establish guidelines for employees of the Fort Bend County Sheriff's Office with respect to their use of these sites. The policy will further regulate the effect use of social networking and media has upon the reputation and perception of the Sheriff's Office.

It is essential for every employee of the Sheriff's Office to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the employees of the agency to carry out the law enforcement function. Therefore, any matter which brings individual employees or the Sheriff's Office into disrepute has the corresponding effect of reducing public confidence and trust in the Sheriff's Office, thus impeding our ability to work with and serve the public.

II. General Provisions

- A. Employees shall not use any form of social networking or social media, including Facebook, Twitter, MySpace, LinkedIn, Foursquare, blogs, or any other similarly developed format in any manner that may tarnish the reputation of the Fort Bend County Sheriff's Office.
- B. It is imperative that each employee realize their role as a representative of the Sheriff's Office, not only in their professional actions, but also in their personal online actions.
- C. Any online activity that has the effect of diminishing the public's trust in the Sheriff's Office hinders our ability to fulfill our mission statement.
- D. As an employee of the Sheriff's Office, you are held to a higher standard than the general public.
- E. Any online action that detracts from the mission of or tarnishes the reputation of the Sheriff's Office is a violation of this policy and the employee is subject to disciplinary action.

III. Definitions

- A. **Social Media:** online sources that allow people to communicate, share information, photographs, text, and other multimedia files via online or cellular network platforms.

- B. **Social Networking:** using internet mobile platforms such as Facebook, Twitter, MySpace and other similarly designed formats to communicate with others using the same platforms while also networking with other users based on similar interest, location, skills, interest, professions, etc.
- C. **Mobile Social Networking:** social networking using a mobile phone or other cellular device. Any further reference to social networking will apply to either platform.
- D. **Blog:** a series of entries, written either by one person or a group of people, in an online journal, usually posted chronologically like a diary.
- E. **Blogging:** to read, write, or edit an online journal.
- F. **Post:** an item inserted into a blog or an entry to any type of computerized forum or bulletin board.
- G. **Forum:** an online discussion site
- H. **Comments:** responses to a blog, post, news article, social media entry or other social networking sources.
- I. **Avatar:** a computer user's representation of himself/herself, or an alter ego
- J. **Identity:** an online internet identity that a social networking user established. The identity can be a real name, an alias, a pseudonym or a creative description.
- K. **User name:** the name that a user provides during the registration process associated with a web site that will be displayed publicly on the web site.

IV. Rules and Regulations

- A. Employees are prohibited from using department computers or cell telephones for any unauthorized purpose, including social networking.
- B. Employees are prohibited from using any social networking platform while on duty, unless permission is granted for investigative or public information purposes.
- C. Unless granted explicit permission, employees of the Sheriff's Office are prohibited from posting any of the following to any social media, social network, news media page, or any other information exchange forums:
 - 1. Any text, photograph, audio, video or other multimedia file related to any current or past investigation of this department.
 - 2. Any text, photograph, audio, video, or other multimedia file related to any past or current action of this department, either in tribute or critique.

3. Logos, badges, seal, uniforms, vehicles, letterhead, or any item or symbol that is affiliated with the Sheriff's Office.
 4. Any text, photograph, audio, video, or other multimedia file that is related to any occurrence within the Sheriff's Office.
- D. Employees who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect in a negative manner upon the Sheriff's Office or its mission. The following rules shall apply:
1. Unless granted explicit permission by the Sheriff's Office, employees shall not identify themselves in any way, as an employee of this department.
 2. Employees will be held responsible for the content that appears on their maintained social media or social network site and will be responsible to remove any posting or comment contributed by others that may identify them as an employee of the Sheriff's Office.
 3. Employees will be held responsible for the content of their social media or social networking sites and will be obligated to remove any posting or material contributed by others that reflects negatively upon the Sheriff's Office.
 4. Employees will be held responsible for the content that appears on their maintained social media or social network sites and will be obligated to remove any material contributed by others that reflects negatively upon the Sheriff's Office.
 5. Sexually graphic or explicit material of any kind shall not be posted by the employee on any form of social media or social network site.
 6. Sexually graphic or explicit material posted by others to the employee's site shall immediately be removed by the employee.
 7. Weaponry owned by the Sheriff's Office shall not be displayed or referenced to in any multimedia format on social media or social networking sites.

8. Any text, photograph, audio, video or any other multimedia file included on a social media or social network site that infers, states opinion or otherwise expresses the employee's view on the public shall not be detrimental to the Sheriff's Office mission or in any way undermine the public's trust or confidence in the Sheriff's Office.
9. Any posting that detracts from the Sheriff's Office mission will be considered a direct violation of this policy.

- E. Unless serving as an explicitly permitted tool of public information or community outreach, no officer shall use their rank and/or title in any social media or social networking activity.
- F. Employees who are brought under administrative or internal investigation related to their performance, functionality or duties may be ordered to provide the Sheriff's Office or its designated investigator with access to the social media and social networking platforms in which they participate.
- G. Employees who are brought under administrative or internal investigation related to the operation of the Sheriff's Office operation, productivity, efficiency, morale, or reputation may be ordered to provide the Sheriff's Office or its designated investigator with access to the social media or social network platforms in which they participate.
- H. If requested, an employee shall submit an affidavit attesting to all the social media and social networking platforms in which they participate.
- I. Any candidate seeking employment with the Sheriff's Office shall complete an affidavit attesting to all social media and social networking platforms in which they participate or maintain. The candidate shall be required to provide the designated background investigator with access to the social networking platforms in which they participate or maintain.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 28

SUBJECT: Crime Scene Processing and Staff Notification

- I. **PURPOSE:** to establish guidelines and procedures for the standard handling of crime scenes and staff notifications.
- II. **POLICY:** to ensure that all crime scenes and staff notifications are handled in a standard manner that preserves all possible evidence and notifies staff that is required to be notified.
- III. **PROCEDURES:**
 - A. First Patrol Unit on the scene:
 - 1. Shall provide security and preserve the scene.
 - 2. Direct responding units to support as needed.
 - 3. Prepare preliminary offense report.
 - B. Detective called to scene:
 - 1. Shall assume scene responsibility and authority from first unit.
 - 2. Become familiar with details of scene and available data from first unit and identify and separate witnesses or suspects.
 - 3. Assure scene integrity, call for additional assistance if needed and check on arrival of I.D. Unit.
 - 4. Brief I. D. Unit on known details and continue crime scene perimeter investigation.
 - C. I.D. Unit called to scene:
 - 1. Shall assume authority of and responsibility for crime scene processing.
 - 2. Shall have unchallenged authority and responsibility concerning crime scene processing and release of the crime scene.
 - 3. Prior to release of the crime scene, I.D. shall confer with the Detective and insure that all available evidence, photographs and testing has been done.
- IV. **STAFF NOTIFICATION:**
 - A. Notification of Staff Officers and on call Supervisors regarding major crimes or incidents.
 - 1. During normal business hours, 8:00 a.m. until 5:00 p.m., Monday thru Friday, the appropriate Bureau Lieutenant will be advised.
 - 2. After normal business hours, Monday thru Friday, the Night Commander or the Duty Commander will be notified.

3. The Shift Supervisor or Patrol Sergeant will determine if the crime or incident involved requires Staff notification. Normally this would include incidents such as major crimes, homicides, serious injuries to employees or incidents that would have some major impact on the Sheriff's Department.
4. The Public Information Officer shall be notified by the on scene Patrol Supervisor in after hour incidents that are or maybe of media interest.

B. Unattended Deaths:

1. In the event of an unattended death reported to the Sheriff's Office, the Detective Division shall be notified during normal duty hours. If the death is reported after normal duty hours, the on call Detective Sergeant shall be notified.
2. If the Justice of the Peace refuses to order an autopsy upon the recommendation of the Detective in charge of the scene, the District Attorney will be called by the Detective, informed of the situation and requested to direct the autopsy thru the Justice of the Peace as provided for in the provisions of the Texas Code of Criminal Procedure, Article 49.10, (E), (3).

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 29

SUBJECT: Tactical Scene Operations

- I. **PURPOSE:** To establish policy and procedures governing the response to an offense or situation that requires a tactical response, and bring the situation to a peaceful end if possible.
- II. **POLICY:** The nature of the law enforcement task occasionally requires a tactical response to emergency calls. Tactical situations increase the risk of injury to Law Enforcement personnel, civilians, and property. In order to reduce the risks involved, deputies of the Fort Bend County Sheriff's Office shall always handle tactical situations in accordance with the Texas State Law and applicable Federal Laws. Their decisions and actions shall further be guided by provisions and conditions set forth in this general order.
- III. **DEFINITIONS:**
 - A. A Tactical situation is an offense which involves a suspect who has fled the scene of an offense, or a suspect who has escaped from custody, and who is believed to be confined to a specific geographical area.
 - B. A tactical situation may also be described as a situation where there is the presence of a bomb or explosive device, or a bomb threat has been made.
 - C. A tactical situation may also be defined as a hostage and/or barricaded suspect offense. See General Order 30 for specific policies and procedures.
- IV. **PROCEDURE:**
 - A. Communications: Upon receiving information indicating an offense requiring a tactical response, communications will do the following:
 1. Direct district officers to respond to the call, giving all information available.
 2. Inform Patrol Sergeant of the situation.
 3. Inform the Detective Sergeant in charge of the injury squad, or the on call Detective Sergeant if the incident occurs after 5:00 PM or on a weekend or holiday.
 4. Alert E.M.S. and Fire Department to stage at a safe distance from the location of the offense.
 5. Inform Support Services Sergeant or Lieutenant.
 6. Designate a radio channel for tactical communications.
 7. Communications will also attempt to stay on the phone with the reportee and gain as much information as possible.
 8. If necessary, one of the primary channels may be temporarily shut down in order to comply with the manpower requirements of a tactical situation.

B. Responding Patrol Officers.

1. If informed that a bomb is being used as a deadly threat weapon, do not use radios within one mile of the scene.
2. Block off avenues of access or departure for the area involved.
3. Report all findings and activities to communications and the Patrol Sergeant.
4. The senior officer or ranking officer on the scene is in charge until a Patrol or Detective supervisor arrives.

C. Patrol Sergeant.

1. Travel to the scene of the offense and assume command of the scene.
2. Evaluate the validity of the situation. If the situation is determined to be an offense requiring a tactical response the Patrol Sergeant should have the following persons informed in this sequence:
 - a. Sheriff
 - b. Chief Deputy
 - c. Captain of Operations
 - d. Patrol Division Commander, Night Commander, Duty Commander
 - e. Detective Division Commander
 - f. Public Information officer
3. Establish a command post at a safe distance from the area involved.
4. Call out dog team if necessary.

D. Detective Sergeant on-call, or Injury Squad Sergeant.

1. After receiving primary information concerning an offense requiring a tactical response alert the following:
 - a. On-call detectives to respond to scene.
 - b. ID personnel to respond to scene.
2. Travel to the location of offense and assist the Patrol Sergeant in securing the scene.
3. Take charge of any subsequent or on scene investigation which evolves from the situation.

E. Support Services Lieutenant and or Sergeant.

1. Upon receiving information of a situation requiring a tactical response, the Support Services supervisor will:

Move the mobile command trailer to the involved area to be used as an overall command post

Insure the mobile command trailer has adequate equipment for the situation

Insure all communications between any parties involved, are being recorded.

Insure the proper radio channels are being used

F. Patrol Lieutenant, Night Commander, Duty Commander

1. Travel to the scene of the offense and assume overall command of the situation.
2. Insure all decisions and movements concerning the operation are cleared through you.
3. Notify Houston Police Tactical Unit, Swat, or Bomb Squad and request assistance if necessary.
4. If appropriate, activate the Hazardous Entry and Arrest Team to provide limited tactical support.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 30

SUBJECT: Hostage and Barricaded Suspect

- I. **PURPOSE:** to establish policy and procedures governing the response to an offense or situation that requires the department to respond to a hostage and or a barricaded suspect situation.
- II. **OBJECTIVE:** all reasonable measures should be taken to ensure the safety of innocent persons and hostages. Furthermore, no hostage situation should be allowed to go to a mobile status. It shall further be the objective of this Department to bring the situation to a peaceful end with as little damage to property as possible.
- III. **POLICY:** the nature of the law enforcement task occasionally requires a tactical response to hostage and or a barricaded situation. These situations increase the risk of injury to Law Enforcement personnel, civilians, and property. In order to reduce the risks involved, Deputies of the Fort Bend County Sheriff's Office shall always handle hostage and barricaded situations in accordance with Texas State Law and applicable Federal Laws. Their decisions and actions shall further be guided by provisions and conditions set forth in this General Order.
- IV. **DEFINITIONS:**
 - A. A situation which involves an armed and barricaded suspect or suspects, who have taken unlawful control of a residence, building or vehicle. And have further threatened the use of deadly force to maintain unlawful control of the structure or vehicle that is being occupied. It may or may not involve the taking of a hostage or hostages and or the involvement of a suicidal suspect.
 - B. A hostage or barricade situation may also be described as a situation where an armed suspect, or armed suspects, have taken unlawful control over a large area of land within Fort Bend County and demonstrated their intent to maintain the unlawful control by use of deadly force.
- V. **PROCEDURE:**
 - A. Communications: Upon receiving information indicating an offense involving an armed and barricaded suspect or suspects is in progress, communications will do the following:
 1. Direct District Officers to respond to the call, giving all information available.
 2. Inform Patrol Sergeant, of all situations.
 3. Inform the Detective Sergeant in charge of the injury squad, or the on call Detective Sergeant if the incident occurs after 5:00 p.m. or on a weekend or holiday.
 4. Alert E.M.S. and Fire Departments to stage at a safe distance from the location of the offense.
 5. Inform Support Services Sergeant or Lieutenant.
 6. Designate a radio channel for radio communication.

7. Communication should also attempt to stay on the phone with the reportee and gain as much information as possible.
8. If necessary, one of the primary channels may be temporarily shut down in order to comply with the manpower requirements of a tactical situation.

B. Responding Patrol Officers:

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3. Block off avenues of access or departure for the structure or property involved.
4. Visually and or verbally verify the validity of the situation without exposing self or others to gun fire and/or without causing the incident to escalate.
5. Report all findings and activities to communications and the Patrol Sergeant.
6. The Ranking or Senior Officer on the scene is in charge until a Patrol or Detective Supervisor arrives.

C. Patrol Sergeant.

1. Travel to the scene of the offense and assume command of the scene.
2. Assess the validity of the situation. If the situation is determined to be an offense involving a hostage or barricaded situation, the Patrol Sergeant should have the following persons informed in this sequence:
 - a. Sheriff.
 - b. Chief Deputy.
 - c. Captain of Operations.
 - d. Patrol Lieutenant, or the Night Commander, or the on call Duty Officer.
 - e. Lieutenant of Detective Division.
 - f. Public Information Officer.
3. Establish a command post in the immediate area.

D. Detective Sergeant on call or Injury Squad Sergeant.

1. After receiving primary information concerning an offense requiring a tactical response, alert the following:
 - a. Alert the Hazardous Entry and Arrest Team (H.E.A.T.) Commander.
 - b. Alert department Marksman Observer, (M.O.) Teams if the structure involved is of primary importance to public communication or utilities, hostages have been taken, or a substantial risk to Officers and Civilians is possible. Captain, Chief Deputy or Sheriff must authorize deployment.

- c. Alert Hostage Negotiator (H.N.) Team to respond the location. The hostage negotiation team will be used even if the situation is one in which there is only barricaded suspects.
 - d. Call out on call Detectives to respond to the scene.
 2. Travel to the location of the offense and assist the Patrol Sergeants in securing the scene.
 3. Take charge of any subsequent investigation which evolves from the situation.
 4. Brief H.E.A.T. and M.O. teams and insure they are staged in an appropriate area.
 5. If M.O. teams are used, they should be sent in to form an inner perimeter and report on activities of the suspects.
- E. Support Services Lieutenant and/or Sergeant.
 1. Upon receiving information of a hostage or barricade situation, the Support Services Supervisor should:
 - a. Move the mobile command trailer to the involved area to be used as an overall command post.
 - b. Insure the mobile command trailer has adequate equipment for the situation, i.e.: radios, recording equipment and phone to facilitate communications between the negotiating team and suspects.
 - c. Insure all communications between any parties involved are being recorded.
 - d. Insure the proper radio channels are being used.
- F. Patrol Lieutenant, Night Commander or On call Duty Officer.
 1. Travel to the scene of the offense and assume overall command of the situation.
 2. Insure all decisions and movements concerning the operation are cleared through you.
 3. Call SWAT team from either H.P.D. or D.P.S. if the situation warrants.
 4. Insure the arriving SWAT team leader is briefed pertaining to the situation at hand.
 5. Insure SWAT teams requirements and directives are complied with to achieve the objective.
- G. Lieutenant of Detective Division.
 1. Travel to the location of the offense.
 2. Assist the overall Commander with scene supervision and facilitate additional manpower requirements by calling out detective units.

3. If H.E.A.T. and/or M.O. teams are deployed, take charge of tactical operations.

H. Sheriff, Chief Deputy and/or Captain of Operations.

1. In the event of a hostage or barricade situation the Sheriff and/or the Chief Deputy will travel to the location of the offense.
2. If the Sheriff or Chief Deputy are not available, the Captain of Operations may act in their place.
3. In the event that an M.O. team is deployed either from this department, the authorization for the use of deadly force may only come from the Sheriff. If the Sheriff is not available the Chief Deputy or Captain of Operations may authorize the use of deadly force.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 36

SUBJECT: Internal Affairs

- I. **PURPOSE:** to create a process in order to ensure the integrity of the Fort Bend County Sheriff's Office.
- II. **POLICY:** the Fort Bend County Sheriff's Office Internal Affairs is hereby established. The goal of the internal affairs function is to ensure that the integrity of the agency is maintained through an internal system whereby objectivity, fairness, and justice are ensured by an impartial investigation and review.
- III. **ADMINISTRATION OF INTERNAL AFFAIRS:**
 - A. The Chief Deputy shall be responsible for overseeing all activities of the Internal Affairs component. The Chief Deputy may delegate investigative duties as necessary. Individuals assigned such duties shall report directly to the Chief Deputy.
 - B. The activities of the Internal Affairs function shall include, but are not limited to the following:
 1. Recording and controlling the investigation of complaints against employees;
 2. Supervising the investigation of alleged or suspected misconduct, including criminal conduct, within the agency.
 3. Maintaining the confidentiality of the Internal Affairs investigations and related records.
 - C. An internal affairs investigation, citizen complaint, will be conducted in compliance with Section 614.022 and 614.023 of the Government Code. The Chief Deputy may authorize an Internal Affairs investigation if either he or the Sheriff considers the circumstances extraordinary and the integrity of the employee or the agency is in question.
 1. The Chief Deputy shall review all internal investigation and make a recommendation to the Sheriff.
 2. The Chief Deputy shall maintain the stated records in a secure location. These records shall be maintained as follows.
 - a. Allegations Unfounded - allegation is demonstrably false, or there is no credible evidence to support it, maintained for three (3) years from date of completion of investigation.
 - b. Allegations Substantiated- Policy Violation Non-Criminal – retained for fifteen (15) years from date of affected employees cessation of employment.
 - c. Criminal Violation – maintained indefinitely.

- d. Insufficient Evidence – there is insufficient evidence to confirm or refute the allegation, maintained for five (5) years from date of completion of investigation.

D. Required Notifications.

- 1. The Chief Deputy shall be notified through proper channels as soon as practical in any of the following instances:
 - a. Allegation of or suspected criminal misconduct.
 - b. Complaints of a serious nature which have reached the public domain, news media and may require an official response.
 - c. Any complaint which in the opinion of the Division Commander or Deputy commander warrants such notification.

- E. Complaints concerning Agency Policies or Practices. An employee, who receives a complaint concerning Agency Policy or Practice, shall direct the complaint to the Chief Deputy or the Duty Commander. If referred to the Duty Commander, the Chief Deputy shall be informed of the nature of the complaint.

IV. CONFIDENTIALITY OF RECORDS:

- A. It shall be the stated policy of this office that activities, reports and records of the internal affairs function will at all times remain confidential. Personnel assigned to internal affairs duties shall not cause information concerning their activities to be divulged to unauthorized persons.
- B. Access to internal affairs records shall be strictly limited to those authorized by the Chief Deputy or Sheriff.
- C. Information contained in internal affairs records shall not be released except in response to an order from a court of competent jurisdiction.

V. REQUIREMENTS:

- A. Polygraph Examinations – an employee may be compelled to submit to a polygraph examination. An employee who refuses to submit to such examination may be terminated.
- B. Medical and Laboratory Exams – an employee may be required to submit to medical or laboratory examinations, including but not limited to a test for the presence of drugs or alcohol. Such examinations shall be on a case to case basis, other than those random test required under County Policy.
- C. Photographs and Lineups – an employee may be photographed or directed to participate in a line up pursuant to an internal affairs investigation.
- D. Financial Disclosure Statement – an employee may be directed to submit a financial disclosure statement if probable cause exist to believe a criminal violation has occurred.
- E. Truthful Statement – employees shall be required to submit a truthful statement during an official investigation; however, such statement may not be used for criminal prosecution unless the employee is admonished of his rights regarding self incrimination and the employee voluntarily waives theses rights.

VI. **REFUSAL TO COOPERATE WITH INVESTIGATION:** an employee who fails to cooperate as required in Section V shall be subject to disciplinary action including termination.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 38

SUBJECT: Media – Public Information

- I. **PURPOSE:** to establish Departmental guidelines governing the release of information to the general public and provide for the cooperation and assistance to the news media.
- II. **POLICY:** The Fort Bend County Sheriff's Office recognizes the public's right to have access to public records and the news media's right to report on matters of public interest. Article 6252-17a V.T.C.S. (Texas Open Records Act) governs access to and/or release of public records and information. In accordance with the law, the policy of the Fort Bend County Sheriff's Office is to release ALL information in a manner which does not jeopardize an individual's right to privacy nor impairs the prosecution of the offender or impedes the law enforcement process.

It is Department Policy that a professional working relationship be maintained between the Sheriff's Office and news media representatives so both may accomplish their objectives. News media representatives have an obligation to gather information which is in the public interest. They will be supported in their efforts without interference from Sheriff's Office personnel, within the confines of the law.

Information will be released to the news media without partiality. No member of the Fort Bend County Sheriff Office shall delay the release of information to favor any particular news media representative or agency. Further, information will be released in a timely manner with respect to media deadlines when at all possible.

III. **INFORMATION NORMALLY AVAILABLE TO THE PUBLIC UNDER APPLICABLE STATE AND FEDERAL LAW WILL BE RELEASED:**

- A. Article 6252-17a, Sec.3, V.T.C.S. (Texas Open Records Act) governs access to and release of public information and public records. Related judicial decisions and Attorney General Opinions shall also be used to guide the agency in making public/not public decisions concerning the release of information and records.

Examples of Public Information and Public Records in this Department that will be released include:

1. Show-up sheet or Arrest sheet.
2. Offense Reports (first page only).
 - a. Offense committed.
 - b. Location of offense.
 - c. Identification and description of complainant except in sexual assault cases.
 - d. Premises involved.
 - e. Time of occurrence.
 - f. Property involved.
 - g. Vehicle involved.
 - h. Description of weather.
 - i. Detailed description of Offense.
 - j. Names of Investigating Officer.

3. Accident Reports (excluding criminal investigative information).

Public Information Desk – Information concerning routine criminal investigations will be made available at the Public Information Desk.

B. Crime/Incident Information (on-scene).

1. A synopsis of the crime or incident will be released from the scene, if at all possible, including:
 - a. Incident category.
 - b. Date/time occurred.
 - c. Address occurred (except as outlined in Sec. IV).
 - d. Complainant/Victim (except as outlined in Sec. IV).
 - e. Nature of injury.
 - f. Amount of reported damage or loss.
 - g. Investigating Officer.
 - h. Case Status (Open, Suspended or Closed).
2. Anytime a designated Public Information Officer releases information pursuant to Section III, B, of this order or concerning an on going criminal investigation he shall brief the Sheriff as soon as possible.

C. Arrested Persons.

1. Information that will normally be released on arrested persons includes:
 - a. Name, age, address, occupation (except as outlined in section IV).
 - b. Nature of charge.
 - c. Circumstances surrounding the arrest, including time, place, resistance, pursuit or weapons used.
 - d. Identity of the arresting officer.
 - e. Scheduled hearing and court dates if duly noted or known.
 - f. Bail or bonding information if noted or available.

D. Information on motor vehicle accidents when the investigation is completed or when the investigation will not be impeded by questioning the investigating officer.

E. Information on non-criminal incidents, including fires, accidents other than vehicular, drowning, missing persons, etc. (except as outlined in section IV).

F. Criminal history record information or information on adjudicated cases may be obtained from the Court.

IV. INFORMATION THAT GENERALLY WILL NOT BE RELEASED: Records and information which is classified as confidential or exempt pursuant to federal or state laws or judicial decisions, specifically those records and information excepted by Section 3 of the Texas Open Records Act.

In accordance with the Texas Open Records Act, the following guidelines shall be used by agency personnel in making a public/not public determination when releasing records or information.

- A. If disclosure of item would interfere with state's prosecution of a potential or pending criminal case – NOT PUBLIC.

- B. If disclosure of item might deprive a defendant of a fair trial – NOT PUBLIC.
- C. If disclosure of item might identify a confidential informant – NOT PUBLIC.
- D. If disclosure of item might result in intimidation or harassment of a witness – NOT PUBLIC.
- E. If disclosure of item would result in the unwarranted invasion of personal privacy – NOT PUBLIC.
- F. If disclosure of the item would reveal law enforcement investigative techniques and procedures or crime prevention techniques and procedures, the disclosure of which would hamper law enforcement – NOT PUBLIC.
- G. If disclosure of item would interfere with the arrest of the appropriate subject – NOT PUBLIC.
- H. If disclosure of the item would deter police-citizen cooperation in the future – NOT PUBLIC.
- I. If disclosure of item would result in a severe decrease in the time and attention investigators could devote to case – NOT PUBLIC.
- J. If disclosure of item would in the opinion of the government attorney involved, affect the outcome of pending or potential civil or criminal litigation, to which the government unit or employee may be or may become a party – NOT PUBLIC.
- K. Examination questions and answer sheets of examinations which are administered for the purpose of licensure, certification or employment are NOT PUBLIC.
- L. Any information revealing undercover personnel of any criminal justice agency – NOT PUBLIC.
- M. Photographs, names, addresses or other information which could lead to the identity of a victim of a sex offense – NOT PUBLIC.
- N. Photographs, name, address or other information which could lead to the identity of any victim of child abuse – NOT PUBLIC.
- O. Identity of death victims until reasonable efforts have been exhausted to notify the next of kin – NOT PUBLIC.
- P. Identity of persons legally defined as juveniles who have been arrested or are under investigation, except as otherwise specified under Texas Law – NOT PUBLIC.

V. WHO MAY RELEASE INFORMATION:

- A. The Department's Public Information Officer shall have primary responsibility for the release of information through press releases and statements. In the absence of the Public Information Officer the on scene Supervisor or Ranking officer will assume this authority.
- B. At the scene of the crime or major incident, responsibility for releasing information shall rest with the Public Information Officer or designee.

- C. Information concerning Departmental plans, policies or administrative changes shall be released by the Sheriff or his designee.
- D. Matters pertaining to Department personnel or internal affairs shall be released by the Sheriff or a designee.
- E. Requests for public records or information not ordinarily available at the public information desk, shall be made in writing and directed to the Public Information Officer or designee.

VI. SOURCES OF INFORMATION FOR THE MEDIA.

- A. In order to facilitate the dissemination of crime/incident information, new media representatives should pursue the following channels for information.
 1. Public Information – Routine information concerning criminal investigations and incidents, show up sheets, copies of press releases, etc. will be made available to media representatives at the Department's public information desk. Access to the desk will be available 24 hours daily to bonafide representatives of the news media.
 2. Press Releases – There will be no regularly scheduled press releases prepared by the Sheriff's Office. Press releases will be prepared when, in the opinion of the PIO, a major incident is likely to attract widespread media attention. The PIO will notify the media on issued press releases and scheduled press conferences.
 3. Media representatives requesting feature story interviews (excluding on scene situations) with on-duty members of the Department should first contact the Public Information Officer or designee for clearance. The Department member's supervisor will then coordinate the request to prevent interference with the member's assigned duties. Information shall then be released in accordance with Sections III and IV of this General Order.
 4. After Normal Working Hours, the media representatives may call the public information officer and obtain a synopsis of a major incident that may have occurred.
 5. All personnel should understand that it is standard press policy that conversations with representatives of the news media are **ON THE RECORD** and are subject to be quoted.

VII. PRESS CREDENTIALS.

- A. The Fort Bend County Sheriff's Office recognizes valid press credentials from all bonafide news agencies, including (but not limited to) press cards issued by the Sheriff or other area law enforcement agencies. Appropriate news media privileges, per se, are not extended to unaffiliated (free lance) writers, photographers or other members of the general public.
- B. Fort Bend County Sheriff's Office press credentials shall be issued by the Sheriff. The managing editor of any bonafide news gathering service may request press credentials for persons in his employ, whose duties routinely require the gathering and reporting of newsworthy information. Requests for press credentials should be made by submitting the request to the Sheriff on official agency letterhead.

- C. Press credentials should be displayed at the scene of police incidents or when requesting access to the Sheriff's Office Headquarters.
- D. Employees of the Department shall extend every possible courtesy and cooperation to bearers of official press credentials, consistent with provisions of Department regulations covering the release of public information.
- E. Fort Bend County Sheriff's Office press credentials and media privileges may be suspended by the Sheriff for cause.

VIII. CRIME SCENES.

- A. Public Information or "Situation Briefings" will be provided, as soon as practical, at the scene of a crime or police incident by the public information officer or designee. Follow-up information will be released by the PIO or designee as it becomes available.
- B. At the scene of police related incidents, whether criminal or of another nature, police have the obligation to preserve the integrity of the scene, to gather evidence and to complete other needed police activities.
 - 1. News representatives, with properly displayed press identification, will be allowed, as conditions permit, to go as near as feasible to the scene itself. News representatives are NOT to be considered as the general public in the area of an incident or crime scene, but as persons who must fulfill their assigned tasks. Members of the news media are not, however, exempt from laws and/or investigative procedures enforced by this Department.
 - 2. Officers will not assume media representatives know exactly where a crime scene has been established. Whenever possible, a scene should be established by rope or tape. When this is not possible due to manpower, time, size of the area or other outside factors, the Deputy in charge shall delineate a reasonable scene area and relate its points of reference to the media.
 - 3. In all cases, media representatives will be allowed to remain wherever the general public is allowed. Allowing news reporters and photographers beyond the exterior perimeter is dependent upon the tactical situation and will be approved by the Deputy in charge.
 - 4. If the incident is within a private building or dwelling, police personnel will secure and protect the building or dwelling in whole or in part, as may be necessary in order to protect the scene. Under such circumstances, the general public and media representatives may be excluded from the building until the police purpose is accomplished and the scene is released.
 - 5. If the incident is outside of the building or dwelling, police personnel will delineate the specific scene area and prevent the general public and media representatives from entering the actual scene for such length of time needed to complete the police investigation.
 - 6. At the crime scene where an outside agency (i.e., Houston Police, FBI, or Fire Department) is responsible for the investigation, or where the scene is turned over to another agency, the Fort Bend County Sheriff's Office person ordinarily responsible for releasing public information will inform the outside agency as to what information has been released to that agency. Public information released on all joint agency investigations will be mutually agreed upon by the agency personnel responsible.

- C. If a crime scene is on private property and the owner or person in charge of that property denies permission to members of the media entry onto the property, and so states to the news representatives in the presence of police personnel, police have an obligation to ensure that the denial is honored; otherwise, press representatives have the right to remain on private property, outside the established crime scene, to complete their news gathering tasks.
- D. Deputies will take into consideration the "deadline" time of the respective news media representatives when he or she requests information regarding a police related incident and will oblige the representative as much as possible in meeting the "deadline".
- E. At fire related incidents, the decision to allow properly identified reporters and photographers to pass beyond fire lines or to restrict them from a fire area will be the responsibility of the on scene Fire Commander.
- F. Photographing police related incidents, including motor vehicle accidents, accident injuries and uncovered bodies will be at the discretion of the news media, provided the process does not interfere with rescue personnel or the investigation.
- G. Photographing any individual in custody will not be permitted within the Sheriff's Office Headquarters. Photographing prisoners outside the Headquarters is permitted; however, prisoners will not be posed for photographs. Department photographs of an arrested person may be released only with the authorization of the investigating agency.
- H. Officers will refrain from advising victims or witnesses not to converse with news media representatives. Persons involved in incidents, who ARE in police custody, shall not be allowed to discuss such incidents with news media representatives.
- I. Members shall not seek publicity through the news media or furnish information to same for the express purpose of seeking personal notoriety, while acting in an official capacity for the Fort Bend County Sheriff's Office.

IX. DETENTION FACILITY: No cameras will be allowed within the Detention Facility.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 42

SUBJECT: Policy Governing Honor Guard

I. **PURPOSE:** To provide guidelines regulating the activities and administration of the Fort Bend County Sheriff's Department Honor Guard. The Honor Guard was established in August of 1985 for the purpose of providing appropriate honors at funeral services for Deputies and other Law Enforcement Officers.

II. **POLICY:** In addition to providing appropriate honors at officer's funerals the expanded mission of the Honor Guard is to provide departmental representation at parades and other public functions as directed by the Sheriff. The activities of the Honor Guard shall be governed by procedures set forth within this General Order.

III. **ADMINISTRATION:**

A. **Commander-** The Chief Deputy shall appoint a Commander of the Fort Bend County Sheriff's Department Honor Guard. The Commander will be responsible for supervising Honor Guard members at any time they have been assembled for the purpose of performing official Honor Guard duties. While acting in this capacity the Honor Guard Commander shall report directly to the Chief Deputy.

B. **Deputy Commander-** A Deputy Commander who shall act as second in command will be appointed by the acting Commander.

C. **Secretary-** The Commander shall appoint a Secretary to assist himself and the Deputy Commander in coordinating Honor Guard activities.

These three positions shall comprise the Honor Guard staff and together they shall direct all activities of the Fort Bend County Sheriff's Department Honor Guard.

IV. **MEMBERSHIP**

A. Service in the Honor Guard is strictly voluntary and is in addition to regular duty. Success in maintaining an acceptable professional performance will depend on the personal dedication and commitment each Deputy is willing to give.

B. Membership shall be limited to twenty-five (25) active members. A waiting list shall be established for eligible applicants in excess of 25 members.

C. Applications for membership shall be submitted in writing through proper channels and directed to the Honor Guard Commander.

D. Selection of new members shall be the responsibility of the Commander and his Deputy Commander. Applicants will be selected based on the following criteria:

1. Performance of Duty
2. Appearance and Bearing
3. Attitude.

Fort Bend County Sheriff's Office



Criminal Investigations Division Standard Operating Procedures

ISSUE DATE: 7/19/2012



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
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Effective Date:
7/19/2012

Revised Date:
9/25/12

S.O.P. #:
005

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Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Written Directives
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Effective Date: 9/3/2012

Revised Date:

S.O.P. #: 010

I. Purpose

The purpose of this Standard Operating Procedure is to institute a system of written directives to define and establish the operation of the Fort Bend County Sheriff's Office Criminal Investigations Division.

II. Division Name

The name of this organized law enforcement division shall be the Fort Bend County Sheriff's Office Criminal Investigations Division (CID).

III. Division Units Established

1. Homicide / Robbery Unit
2. Burglary / Theft Unit
3. Special Crimes Unit
4. Organized Crime Unit
5. Family Violence Unit

IV. Positions Defined

Captain: Refers to the Captain of the Criminal Investigations Division of the FBCSO. The Captain is the Division Commander.

Lieutenant: Refers to the Lieutenant of the Criminal Investigations Division of the Fort Bend County Sheriff's Office. The Lieutenant shall serve as Division Commander in the absence of the Captain.

Sergeant: Refers to the Sergeant of a unit

Detective: Refers to those individuals assigned the rank of Detective and assigned to the Criminal Investigations Division.

V. Written Directive

1. Orders and procedures issued at any level of command shall not conflict with those issued by a higher command.
2. Orders of specific applications may be issued verbally as necessary to insure compliance with the Fort Bend County Sheriff's Office Standard Operating Procedures Manual or the Law.
3. All personnel of the Criminal Investigations Division are required and responsible for being familiar with the written Standard Operating Procedures. A signed and dated acknowledgment will be kept on file by the Criminal Investigations Division Administrative Assistant.
4. All procedures, both written and verbal, shall be reviewed as necessary to insure current compliance with the law and/or current police procedures. Revisions or cancellations will be made as necessary and disseminated among personnel within the Criminal Investigations Division. It is the responsibility of each member of the Criminal Investigations Division to become familiar with any revisions and incorporate these revisions into the Standard Operating Procedures.

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5. Any memo that is issued by the Division Commander that effects the operation of the Criminal Investigations Division or the Standard Operating Procedures shall be acknowledged in writing by personnel.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Training & Education of Personnel

Effective Date: 7/19/2012
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Revised Date:

S.O.P. #: 030

I. Procedure

Training is an ongoing and important process that affects each Detective/Investigator. It is essential that each officer receive continual education. The unit shall approach training in two areas – New Personnel and Existing Personnel.

A. New Personnel Training

Upon transfer or promotion into the Division, the Detective/Investigator must complete a probationary period as designated by the Department Policy Manual. During this probationary period, the employee's work will be evaluated to determine whether the assignment will be permanent. Orientation of new personnel assigned to the Division shall follow the schedule outlined below.

1. The Lieutenant or a Detective/Investigator assigned by the Lieutenant will welcome the new employee and introduce him/her to all employees within the Criminal Investigations Division.
2. The new Detective/Investigator shall be assigned to an experienced Detective/Investigator to learn the various aspects and duties of the investigative assignment. These will include, but are not limited to:

- a. Case investigation and contact of parties involved in the investigation
- b. Filing of charges with the Fort Bend County District Attorney's Office or Fort Bend County Juvenile Probation.
- c. Use of Department computer, TCIC/NCIC, TLO, HPD computers, and interview room equipment.
- d. Techniques for obtaining both written and oral statements and affidavits.
- e. Procedures for filing of seizures on property and contraband.
- f. Guidelines for booking of juveniles, juvenile warnings and juvenile statements.
- g. Requirements for preparation, issuance and execution of search warrants, arrest warrants, search/arrest warrants, court orders, and documentation for phone pings and tracking devices.
- h. Familiarization with required investigative forms.
- i. Case preparation and presentation to the District Attorney's Office.
- j. Knowledge and availability of the Varda Box, Body Mic, Tracking Device, Inmate Phone System, Inmate Video Visitation and digital camera.

3. The Training Program will consist of a minimum of two weeks. At the completion of each day the trainer will complete a daily training form and will submit it to the Lieutenant for review.

- a. Any noted deficiencies shall be addressed by the unit supervisor.

4. Efforts will be made to enroll the new Detective/Investigator in basic investigation courses and basic interview and interrogation courses as soon as practical.

B. Existing Personnel Training

It will be the responsibility of the Lieutenant to monitor the following and provide training as necessary. These may include but are not limited to:

1. Duty requirements of assigned personnel.
2. Changes in criminal law.
3. Identify training needs of personnel.
4. All officers are encouraged to seek additional training to enhance their safety and knowledge. Whenever possible, the Fort Bend County Sheriff's Office will provide funding for this training if it is an enhancement to the employee's assigned duties.
5. Any officer who is assigned to mandated training sessions or scheduled for additional training shall attend the session or be the subject of disciplinary actions.

C. Lateral Transfer within Division

All employees receiving a lateral transfer shall receive a training period as deemed necessary by the Unit Lieutenant.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Guidelines: Supplemental
Reports, Case Follow-ups
& Case Filing**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
040

I. Procedure

The purpose of this directive is to establish procedures and guidelines for management of investigations comprised of supplemental reports, case follow-up investigations and the filing of cases.

A. Supplemental Reports

1. The Detective/Investigator should begin each supplement by identifying themselves, along with the date of the supplement.
2. Complete the supplement in paragraph form by detailing all pertinent information.
3. All work completed by the Detective/Investigator is to be documented in a supplemental report or a DACT entry when applicable.
4. The summary of affidavits and statements will be done in a highlighted format.
5. Upon completion of a supplement, the Detective/Investigator shall note their name, the supervisor's name and the status of the investigation.

B. Investigative Follow-ups

- 1.** Review the preliminary offense report and any supplements to verify the presence of the elements of the named offense.
- 2.** Check to see whether any suspects are/or were in custody to comply with any time restraints for case disposition.
- 3.** Contact the complainant and advise them of the case status.
- 4.** Complete any required interviews with the complainant, reportee and witnesses to the offense. Obtain affidavits when required.
- 5.** Complete any required suspect interrogations and obtain written or recorded voluntary statements whenever possible.
- 6.** Document other investigative information that may be obtained.
- 7.** If the suspect was arrested or charges are being sought, prepare the case for input at the Fort Bend County District Attorney's Office or Fort Bend County Juvenile Probation.
- 8.** If the suspect is in custody, you have three days to file the offense report with the District Attorney's office or request an extension.
- 9.** A deputy or detective may speak with a juvenile victim of sexual or physical abuse to establish if an offense has occurred, what offense has occurred, and the location of offense. A complete and thorough interview will be followed up by the Child Advocacy Center at a later date.
- 10.** Only the detective dispatched to a sexual assault scene may release the case number to the hospital.

C. Filing of Criminal Cases

I. Juvenile Cases:

1. Prepare a juvenile case packet in duplicate.
2. Complete a juvenile information sheet.
3. Attach all statements and affidavits
4. File one packet with the District Attorney's Office and one copy with Juvenile Probation, obtain receipt for case file and place in records division.

II. Adult Cases:

1. Complete Warrant Information Sheet and District Attorney Input Packet.
2. Attach all statements and affidavits.
3. Include any supporting documentation.
4. Attach any Criminal History, DL/LIDR and MVD returns.
5. Forward case to Intake Division of the District Attorney's Office. Have the Intake Office sign a receipt for the case. Place this receipt in the case file in the Records Division.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Protection of Citizens, Citizens'
Rights & Property**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
050

I. Procedure

Personnel assigned to the Criminal Investigations Division will, at all times, observe the rights of a victim, citizen, or prisoner with regard to the individual's rights as granted under the Constitution of the State of Texas and the Constitution of the United States of America.

A. No officer shall arrest or search any person or place without the respective arrest or search warrant unless such search and/or arrest falls under the guidelines of Article 14 and Article 18.16 of the Texas Code of Criminal Procedure outlining warrant-less arrest or searches that are pursuant to one of the following warrant-less search exceptions:

1. Plain View Seizures
2. Consents to Search
3. Searches Incident to Lawful Arrest
4. The Automobile Exception
5. Post Arrest Administrative Searches

6. Searches Covered under Applicable Case Law for Exigent Circumstances

7. Cursory Searches (Pat Searches)

- B.** All officers shall attempt to protect the rights of all persons held in their custody and shall not in any way interfere with those rights nor shall any officer verbally abuse or use unnecessary force against any person.
- C.** No officer shall engage in any other law enforcement functions while transporting a person held in custody to or from a detention facility of any kind.
- D.** Property seized by an officer shall be inventoried, logged and held for safe keeping in a secure manner to prevent loss or damage to the items seized.
- E.** All monies seized shall be counted by at least two officers. The money will be placed in a sealed container that is initialed by both officers. The money will be placed in safe keeping.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Collection & Submission
of Evidence**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
060

I. Procedure

The purpose of this directive is to establish procedures for the collection and submission of evidence.

A. All evidence submitted by a member of this Division will be documented and marked in the following manner:

1. Evidence will be submitted to the Sheriff's Office evidence room as expeditiously as possible after recovery.
2. The evidence shall be marked and tagged according to policy.
3. All Audio and Video Media will be submitted to evidence to maintain chain of custody.
4. Recovered firearms shall be unloaded prior to submission, taking care not to disturb any possible latent fingerprints. The following procedures will be utilized:
 - a. **Revolvers:** Bullets and spent rounds will be removed and placed into a separate bag.

b. Automatics/Semi-Automatics: The magazine will be removed leaving any rounds in it. The chamber will be cleared with the slide locked back.

c. Rifles/Shotguns: Unload in a similar and appropriate manner.

5. A Detective/Investigator may collect DNA/trace evidence from a suspect when an Identification Investigator is not available. When a Detective/Investigator collects DNA/trace evidence from a suspect, latex gloves **shall always** be worn to avoid any contamination of potential evidence and to protect the Detective/investigator from potential disease/illness that may be transmitted by the suspect.

B. A Detective/Investigator or the Lieutenant may, when the situation warrants it, request the service of an Identification Investigator to process evidence. All evidence recovered by the Identification Unit will be handled according to policy.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Legion Storage Lot: Vehicles & Property

Effective Date: 7/19/2012
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Revised Date:

S.O.P. #: 070

I. Procedure

The purpose of this procedure is to establish guidelines for storage of vehicles and property at the Legion Storage Lot.

1. Instruct the Wrecker Driver to park the vehicle in a spot that starts with the letter "V". Go to the mailbox under the awning and fill out an evidence card showing the case number, vehicle information, and the slot where the vehicle was parked and if there are keys to the vehicle place the keys and the evidence card in the envelope. Write the case number, date, Detective/Deputy name, vehicle information, and slot where the vehicle is parked on the envelope. Place the envelope back in the mailbox so it may be processed.
2. Instruct the wrecker driver to place property in a spot that starts with a "P". Have the wrecker driver start at the back of the lot so it will not congest the front of the lot.
3. Go to the mailbox under the awning and fill out an evidence card showing the case number, property information and the slot where the property was placed. Place the evidence card in an envelope and write the date, detective's name, what kind of property was stored, and what slot it was placed in.

4. Place the envelope back in the mailbox so it may be processed.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Property Seizures

Effective Date: 7/19/2012
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Revised Date:

S.O.P. #: 080

I. Procedure

It shall be Division policy to insure that the proper seizure forms are completed in all required circumstances. Detectives/Investigators shall file seizures on all recovered stolen property, property seized pursuant to a search warrant and property seized as contraband and deemed worthy of forfeiture.

A. Recovered Stolen Property

1. All recovered and stolen property shall have a seizure filed with a magistrate of the proper court in accordance with Article 47 of the Texas Code of Criminal Procedure.
2. Upon filing the seizure notice, the Detective/Investigator is to provide the names, addresses, and telephone numbers of all parties that may have an interest in the property. This information is to be provided to the magistrate with whom the seizure is filed.
3. Detective/Investigator, when requested, shall attend the seizure hearing and testify on behalf of the Fort Bend County Sheriff's Office.

4. Upon completion of the seizure hearing and after the property has been awarded, the Detective/Investigator shall place a copy of the order in the Records Division and Identification Division to ensure that the property is released to the correct party in a timely manner.

B. Property Recovered Pursuant to a Search Warrant

1. The Detective/Investigator who executed the warrant shall complete the inventory and return on the search warrant and return it to the issuing magistrate in accordance with Article 18.06 and Article 18.07 of the Texas Code of Criminal Procedure.
2. The recovered property shall be stored at the evidence room of the Fort Bend County Sheriff's Office.
3. The property will be held until either the final case disposition is reached, or until it has been awarded by a court of competent jurisdiction.
4. The destruction of any property under a Notice to Destruct will be handled by the Identification Division.

C. Property Seized as Contraband for Forfeiture

1. Article 59 of the Texas Code of Criminal Procedure allows for seizure of items of contraband and subsequent forfeiture to the law enforcement agency of jurisdiction.
2. The decision on whether contraband is worthy of forfeiture proceeding will be a joint decision of the Detective/Investigator and the District Attorney's Office.
3. If the property is deemed worthy of forfeiture, the Detective/Investigator shall complete the documentation as required by Article 59 of the Texas Code of Criminal Procedure and forward to the District Attorney's Office.
4. This seizure must be filed with the District Attorney's office within fifteen (15) days to allow mandated court filing within 30 days.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Search & Arrest Procedures
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Effective Date: 7/19/2012
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Revised Date:

S.O.P. #: 090

I. Procedure

The purpose of this directive is to establish procedures for the search and arrest of juveniles and adults.

A. Juvenile Arrests

1. A juvenile may be taken into custody without a warrant if he is involved in delinquent behavior or if there is probable cause to believe a criminal offense has been committed.
2. Upon beginning transport of a juvenile, the transporting officer shall advise Communications of the beginning mileage. Upon completion of the transport the officer shall advise Communications of the ending mileage.
3. The Detective/Investigator shall complete the necessary booking form per policy of the Juvenile Probation Department.
4. The Detective/Investigator may as a courtesy attempt to contact the parents of the juvenile; however, the ultimate responsibility for this duty rests with Juvenile Probation. (Family Code, Section 53.01 [c])

5. A class C offense is not a detainable offense unless a parent or guardian cannot be located. Only in this instance, the juvenile may be taken to the Juvenile Detention Center for safe keeping until a parent or guardian is located.

B. Adult Arrests

1. A Detective/Investigator may affect an arrest when ordered by a warrant, capias or as authorized under Article 14 and Article 18 of the Texas Code of Criminal Procedure.
2. Unless serious medical attention is required for an arrested person, the prisoner should be transported to the Fort Bend County Sheriff's Office Detention Division for booking. Prior to booking the prisoner into jail, the prisoner should be evaluated by medical personnel. If medical personnel determine outside medical attention is required, the Detective/Investigator will be required to transport the prisoner to the hospital to receive treatment and fit for jail documentation.
3. Officers will give their beginning and ending mileage while transporting a subject(s) of the opposite sex.

5. The Detective/Investigator will complete all forms required by the policy of the Detention Division.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject: Search Warrants

Effective Date: 7/19/2012
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Revised Date:

S.O.P. #: 0100

I. Procedure

This procedure is designed to assist the Detective in employing the proper methods of preparing a search warrant, obtaining a search warrant and executing a search warrant.

1. The first requisite of a search warrant is the preparation of an affidavit for a search warrant. This affidavit must be in the name of the State of Texas and the County in which the warrant will be served. If the search warrant is to include arrest authority, those facts normally recited in a complaint to obtain an arrest warrant will be stated in the Affidavit for a Search Warrant. (Texas Code of Criminal Procedure Article 18.01 and Article 18.03)
2. There are basically five elements an affidavit for a search warrant must contain as outlined in the Code of Criminal Procedures. As outlined in Article 18.01, those elements are:
 - a. A description of the person in charge of the place to be searched.
 - b. A description of the items being searched for.
 - c. An accusation or an allegation that a specific criminal offense has been or is being committed.

- d.** The "Affiant's Belief" or probable cause statement which contains the facts about why the probable cause exists to believe that the items to be seized in conjunction with a criminal offense are at the place to be searched which is controlled by the person named or described.
- 3.** While not an absolute necessity, it is advisable to have the affidavit reviewed by an Assistant District Attorney.
- 4.** After the affidavit for a search warrant is completed, it must be presented to a magistrate of proper authority as outlined in Article 18.01 and Article 18.02 of the Texas Code of Criminal Procedure.
- 5.** Be sure the actual prescribed warrant, commanding the search, is present and signed and is affixed a warrant number.
- 6.** The execution of the search warrant will follow the precepts of the Texas Code of Criminal Procedure Articles 18.06, 18.07, 18.08 and 18.09. Additionally, the Detective/Investigator shall comply to the following:
- a.** The Unit Lieutenant or the Administrative Lieutenant will be notified prior to the execution of a search warrant.
- b.** When possible, the Detective/Investigator shall be accompanied by an Investigator from the Identification Unit during the execution of the warrant. The Identification Investigator will then collect all evidence in accordance with Department Policy.
- c.** The Detective/Investigator is responsible for documenting times, parties present and details of the search.
- d.** It is the Detective's/Investigator's responsibility to insure that a complete copy of the search warrant and a legibly signed copy of an inventory of property seized are left at the premise searched.

- e. The Detective/Investigator who obtained the search warrant shall be responsible for returning the search warrant to the issuing magistrate in accordance with Article 18.10 of the Texas Code of Criminal Procedure. The magistrate will keep the original and a copy is to be placed in the master file in the Records Division.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Statements & Affidavits

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0110

I. Procedure

The purpose of this procedure is to provide a uniform guideline for the Detective/Investigator while obtaining statements, confessions and witness affidavits.

II. Statements or Confessions

Statements are generally obtained from individuals the Detective/Investigator believes are involved in criminal activity. This section will cover written or recorded statements from juvenile suspects and adult suspects.

A. Juvenile Statements or Confessions In Custody

- 1.** Prior to beginning the process, the Detective/Investigator must take the juvenile to the Juvenile Detention Facility and complete a request authorizing the Detective/Investigator to continue his/her investigation.
- 2.** The juvenile must be taken before a magistrate so the juvenile can receive their Magistrates Warning. Only the magistrate and the juvenile may be present during this process.

3. The statement may only be obtained in the Magistrate Office, the Juvenile Detention Facility or at an approved juvenile processing office.
4. After the statement is obtained, the juvenile must again be brought before the magistrate to complete the warning process, review the statement and sign the statement.

B. Voluntary Statement of Juvenile not in Custody

1. A Voluntary Statement of Juvenile not in Custody form may be used to obtain a non-custodial statement from a juvenile who is a suspect in a criminal offense. In this instance the requirement of subsection A above does not apply.

A. Written Adult Statements or Confessions

1. The statement format should include the case number, date, and time.
2. The face of the statement form must have the warnings mandated by Article 38.22 (2)(a). This is commonly referred to as the Miranda Warning.
3. The suspect must acknowledge that he/she understands each of the rights and knowingly, intelligently and voluntarily waives each of the rights. Each right should be initialed by the suspect and the waiver should be initialed or signed.
4. After the statement is completed, the suspect will be allowed to read the statement and make any corrections or changes that they deem necessary, prior to signing the statement.
5. Once the suspect states the statement is true and correct, has made any corrections/changes necessary, the suspect shall sign the statement in the presence of two persons who shall sign the statement in spaces provided for witnesses

6. If the suspect is illiterate, a person who is not a peace officer shall read the statement back to the suspect, verify that it is accurate, and permit any requested changes.
7. If the suspect does not understand English, a translator may be a peace officer. A person who is not a peace officer must be used to read the completed statement back to the suspect and to allow them to make any corrections as deemed necessary.
8. Any time during the process that the suspect invokes his Fifth or Sixth Amendment rights as granted under Constitution of the United States of America, the interrogation must stop and may not resume unless specifically requested by the suspect without inducement.

B. Audio or Audio/Visual Recorded Statements

Texas Code of Criminal Procedure Article 38.21 and Article 38.22

1. The tape should begin with the case number, date, time and proper identification of all persons whose voices will be heard on the tape and who are material to the taking of the statement.
2. The suspect must be given their Miranda Warning, if the interview is custodial in nature. The suspect must state clearly and unequivocally that he/she understands each of the rights and must knowingly, intelligently and voluntarily waive those rights.
3. If the recording is stopped for any purpose, the Detective/Investigator should note on tape the time the recording stops and the reason for the stoppage. When the recording resumes, the Detective/Investigator should, on tape, note the time, confirm the reason for the stoppage and verify that the suspect was not threatened or induced to continue during the stoppage.
4. Upon completion of the recording the DVD must be finalized to prevent erasing of the recording.

III. Affidavits

- 1.** Affidavits are used to document the events observed by victims or witnesses prior to, during and after the commission of a criminal offense.
- 2.** The affidavit should include the date, time and case number.
- 3.** The affidavit shall fully identify the person giving the affidavit.
- 4.** The affidavit shall be in narrative form, using as closely as possible the words of the victim or witness.
- 5.** With very few exceptions, a victim/witness will not be given the opportunity to write his/her own affidavit.
- 6.** The victim or witness should identify the suspect as completely as possible in the affidavit, either by description or personal knowledge. The person should then describe all personal knowledge that they have which pertains to the offense under investigation.
- 7.** The affidavit should make note of the fact that the victim/witness believes the affidavit to be true and correct to the best of their knowledge and that they have not been offered anything in return for giving the affidavit.
- 8.** Upon completion, the victim/witness should read the affidavit and be given the chance to make any necessary corrections. If victim/witness does not understand English, a translator may be a peace officer.
- 9.** The affidavit shall be sworn to before a notary public or some other person authorized to give oaths when at all possible.
- 10.** No Copies of Affidavits or Supplements will be given to anyone.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Eyewitness Identification

Effective Date:
9/1/2012

Revised Date:

S.O.P. #:
115

I. Purpose

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

II. Policy

Eyewitness identifications are a significant component of many criminal investigations. The identification process must be carefully administered to minimize the likelihood of misidentifications. Moreover, constitutional safeguards must be observed in the process. The goal of reducing erroneous convictions can be furthered in many ways. Employing the most rigorous eyewitness identification methods is one way of doing this, but there are others. The eyewitness identification process is only one step in the criminal investigative process, albeit an important one. Corroborative evidence, for example, will lessen the impact of erroneous eyewitness identification. The more other evidence that is available, the less risk there is of conviction based solely on erroneous eyewitness identification. There is no substitute for a competent and thorough criminal investigation. This model policy was written to provide guidance on eyewitness identification procedures based on credible research on eyewitness memory and best practices designed not only to reduce erroneous eyewitness identification but also to enhance the reliability and

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

III. Procedural Guidelines

A. Definitions

- 1. Blind Procedure** – A procedure wherein the person administering the live lineup or photo array does not know who the suspect is.
- 2. Blinded Photo Array Procedure** – A procedure wherein the person who administers the photo array knows who the suspect is, but each photo is presented so that the administrator cannot see or track which photograph is being presented to the witness.
- 3. Folder Shuffle Method** – A method of administering a photo array such that the administrator cannot see or track which photograph is being presented to the witness until after the procedure is completed. This method is employed when a blind procedure is not possible.
- 4. Fillers** – Non-suspect photographs or persons. Fillers are selected to both fit the description of the perpetrator provided by the witness and to ensure that no individual or photo stands out.
- 5. Illiterate Person** – An individual who speaks and understands English but cannot read and write in English.
- 6. Interpreter** – An interpreter is a person who is fluent in English and the language of the witness or victim and who facilitates communication between two parties in two different languages. The term includes persons who facilitate communication with persons who are deaf, hearing impaired, or speaking impaired.

7. **Live lineup** – An identification procedure in which a group of persons is displayed to the witness or victim in order to identify or exclude the suspect.
8. **Person with Limited English Proficiency** – An individual who is unable to communicate effectively in English with a level of fluency that is typical of native English speakers. Such a person may have difficulty speaking, reading, or writing in English and includes persons who can comprehend English, but are physically unable to talk or write.
9. **Photo Array** – An identification procedure in which a series of photographs is displayed to the witness or victim in order to identify or exclude the suspect.
10. **Sequential Live Lineup or Photo Array** – An identification procedure in which the persons in the live lineup or the photographs in the photo array are displayed one by one (sequentially).
11. **Show-up** – An identification procedure in which a single suspect is shown to a victim or witness soon after the commission of a crime for the purpose of identifying or eliminating the suspect as the perpetrator.
12. **Witness Certification Statement** – A written statement that is read out loud to the witness or victim describing the procedures of the identification process.

B. Selecting the Best Identification Method

1. Photo arrays are preferred over other techniques because:
 - (a) they can be controlled better,
 - (b) nervousness can be minimized, and
 - (c) they are easier to manage logistically.
2. Because they involve multiple persons under relatively controlled circumstances, a properly conducted live lineup, like a properly conducted photo array, is preferable to a show-up.

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

C. Selecting Fillers

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

D. Explaining that the Perpetrator May or May Not be Present

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

E. Explaining that the Investigation will Continue

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

F. Witness Contamination

Precautions must be taken to ensure that witnesses do not encounter suspects or fillers at any time before or after the identification procedure. Avoid multiple identification procedures in which the same witness views the same suspect more than once. When showing a different suspect to the same witness, do not reuse the same fillers from a previous live lineup or photo array shown to that witness. Witnesses should not be allowed to confer with each other before, during, or after the identification procedure. Ensure that no one who knows the suspect's identity is present during live lineup or photo array procedure. In some live lineups, exceptions must be made to allow for the presence of defense counsel.

G. Documenting the Procedure

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

IV. Standard Operating Procedures

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

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

A. Descriptions of Eyewitness Identification Methods

- 1. Sequential, Blind Photo Array** – photo arrays where the photographs are presented one at a time to the witness or victim by a person who does not know who the suspect is. This method requires a preparer who may be familiar with the case and an administrator who does not know the identity of the suspect.
- 2. Sequential, Blinded Photo Array** – photo arrays where the photographs are presented one at a time to the witness or victim by a person who knows who the suspect is, but who takes steps (putting the photographs in folders and shuffling them) to avoid knowledge of which person the witness or victim is looking at. This method typically involves an administrator who is familiar with the case and knows who the suspect is.
- 3. Sequential Live Lineup** – live lineups where the persons in the live lineup are presented one at a time to the witness or victim. This method requires a preparer who may be familiar with the case and an administrator who does not know the identity of the suspect.

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

B. Standard Operating Procedures for Sequential Blinded Photo Array Administrations

1. Preparation

a. Designating a Preparer

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

b. Selecting Suspect Photograph

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

c. Selecting Fillers

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

d. Choosing Number of Fillers

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

e. Ensuring Similarity

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

f. Placing Subject Photographs in Order

1. Place filler in the lead position.
2. Place the remaining photographs which will comprise the photo array in random order.

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

g. Presenting the Photo Array to the Independent Administrator

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

2. Administration

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

a. Blinded Administration

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

b. Instruct Witness

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

In a moment, I am going to show you a series of photos. The person who committed the crime may or may not be included. I do not know whether the person being investigated is included. Even if you identify someone during this procedure, I will continue to show you all photos in the series.

The investigation will continue whether or not you make identification. Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

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

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

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

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

c. Document Consent to Participate

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

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

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

d. Presentation of Photographs

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

e. Question Witness

After the witness has looked at a photo and handed it back to you, ask:

"Is this the person you saw [insert description of act here]?" If the witness answers "Yes," ask the witness, ***"In your own words, can you describe how certain you are?"***

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

g. Show All Photographs

Even if the witness makes 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 identification, simply tell the witness that to assure objectivity and reliability, the witness is required to view all of the photographs.

h. Avoid Feedback During the Procedure

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

i. Additional Viewings

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

j. Subsequent Use of Materials

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

k. Multiple Identification Procedures With Same Witness

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

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.

m. Multiple Suspects

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

n. Reuse of Fillers

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

o. Contact Among Witnesses

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

p. Identification of Special Features

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

3. Special Procedures are Required for Illiterate Persons or Persons who Possess Limited English Proficiency

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

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

b. Using an Interpreter

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

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

c. Review and Explain Forms

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

4. Documentation

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

C. Standard Operating Procedures for Sequential Blinded Photo Array Administrations

1. Preparation

a. Select Suspect Photograph

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

b. Selecting Fillers

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

c. Choosing Number of Fillers

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

d. Ensuring Similarity

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

e. Placing Subject Photographs in Order

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

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

2. Administration

a. Blinded Administration

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

b. Instruct Witness

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

The folders in front of you contain photos. In a moment, I am going to ask you to look at the photos. The person who committed the crime may or may not be included in the photos. I do not know whether the person being investigated is included.

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 photo.

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

The investigation will continue whether or not you make identification.

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

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

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 me to see the photo inside the folder. Take as much time as you need to look at each one.

When you have finished looking at a photo, close the folder and hand it to me. I will then ask you, "Is this the person you saw [insert description of act here]?" Take your time answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

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

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

c. Document Consent to Participate

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

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

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

d. Present Folders

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

e. Question Witness

After the witness has looked at a photo and handed it back to you, ask:

"Is this the person you saw [insert description of act here]?" If the witness answers "Yes," ask the witness, *"In your own words, can you describe how certain you are?"*

f. Document Witness's Responses

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

g. Show All Folders with Photos

Show all folders containing photos to the witness. Even if the witness makes 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 identification, simply tell the witness that to assure objectivity and reliability, the witness is required to view all of the photographs.

h. Avoid Feedback During the Procedure

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

i. Additional Viewings

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

j. Subsequent Use of Materials

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

k. Multiple Identification Procedures with Same Witness

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

l. Multiple Identification Procedures with Different Witness

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

m. Multiple Suspects

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

n. Reuse of Fillers

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

o. Contact Among Witnesses

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

p. Identification of Special Features

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

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

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

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

b. Using an Interpreter

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

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

c. Review and Explain Forms

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

4. Documentation

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

D. Sample Standard Operating Procedures for Sequential, Blind Live lineups

1. Preparation

a. Designating a Preparer

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

b. Selecting Fillers

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

c. Choosing Number of Fillers

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

d. Ensuring Similarity

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

e. Placing the Subjects in Order

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

f. Presenting the Live Lineup to Administrator

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

2. Administration

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

a. Instruct Witness

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

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

The investigation will continue whether or not you make identification.

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

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

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

The individuals will be shown to you one at a time. Take as much time as you need to look at each one. After each individual, I will ask you "Is this the person you saw [Insert description of act]?" Take your time

answering the question. If you answer "Yes," I will then ask you, "In your own words, can you describe how certain you are?"

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

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

b. Document Consent to Participate

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

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

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

c. Presentation of Subjects

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

d. Question Witness

After each individual is shown, ask the witness:

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

e. Document Witness's Responses

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

f. Show Every Subject

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

g. Consistency of Actions

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

h. Avoid Feedback During the Procedure

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

i. Additional Viewings

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

j. Multiple Identification Procedures With Same Witness

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

k. Multiple Identification Procedures With Different Witness

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

i. Multiple Suspects

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

m. Reuse of Fillers

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

n. Contact Among Witnesses

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

o. Contact between Witnesses, Suspects, and Fillers

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

p. Identification of Special Features

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

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

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

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

b. Using an Interpreter

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

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

c. Review and Explain Forms

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

4. Documentation

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

Standard Operating Procedures for Show-ups

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

1. Preparation

a. Contact Among Witnesses

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

b. Document Witness's Description of Perpetrator

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

c. Temporal and Spatial Proximity to the Offense

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

d. Transport Witness to Suspect

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

e. Do not Return Suspect to Crime Scene

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

f. Disclosure of Location of Witness's Home

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

g. Avoid Appearance of Guilt

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

h. Minimize Reliance on Show-ups

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

2. Administration

a. Instruct Witness

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

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

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

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

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

b. Presentation of Suspect and Questioning of Witness

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

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

c. Document Witness's Response

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

d. Multiple Identification Procedures With Same Witness

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

e. Avoid Requirement of Performance by the Suspect

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

f. Avoid Conduct Suggestive of the Suspect's Guilt

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

g. Contact Among Witnesses

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

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

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

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

b. Using an Interpreter

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

1) *Is unable to communicate in English*

2) *Has a limited understanding of English*

3) *Is deaf, hearing impaired, or speaking impaired*

4) *Is otherwise physically challenged to communicate in English*

4. Documentation

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



Fort Bend County Sheriff's Office
Criminal Investigation Division

**WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY**

Reference No: _____

Offense: _____

Date of Offense: _____

Witness: _____

Date, Time & Place of Photo Array: ____ / ____ / ____

____ AM / PM

Person(s) present: _____

Instructions:

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

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

You should not feel you have to make identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The photos will be shown to you one at a time. Take as much time as you need to look at each one. After each photo, I will ask you "Is this the person you saw _____"

Take your time answering the question. If you answer "Yes", I will then ask you, "In your own words, can you describe how certain you are?"

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

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

Consent to Participate:

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

Signed: _____

(Witness)



**Fort Bend County Sheriff's Office
Criminal Investigation Division**

**WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY**

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

Signed: _____
(Translator, if applicable)

Signed: _____
(Photo Array Administrator)

Identification Result:

I have picked photo number _____ Signed: _____
(Witness)

I did not pick anyone from the photo array Signed: _____
(Witness)

Witness Confidence Statement:

Administrator Certification:

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

Signed: _____
(Photo Array Administrator)



Fort Bend County Sheriff's Office
Criminal Investigation Division
**WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY**

PHOTO

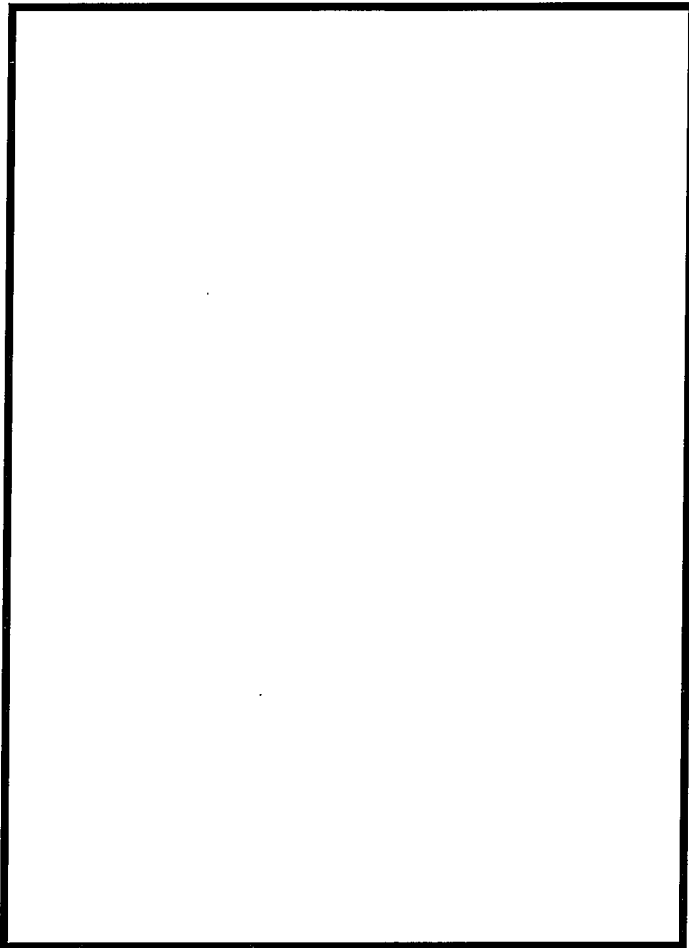


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

PHOTO

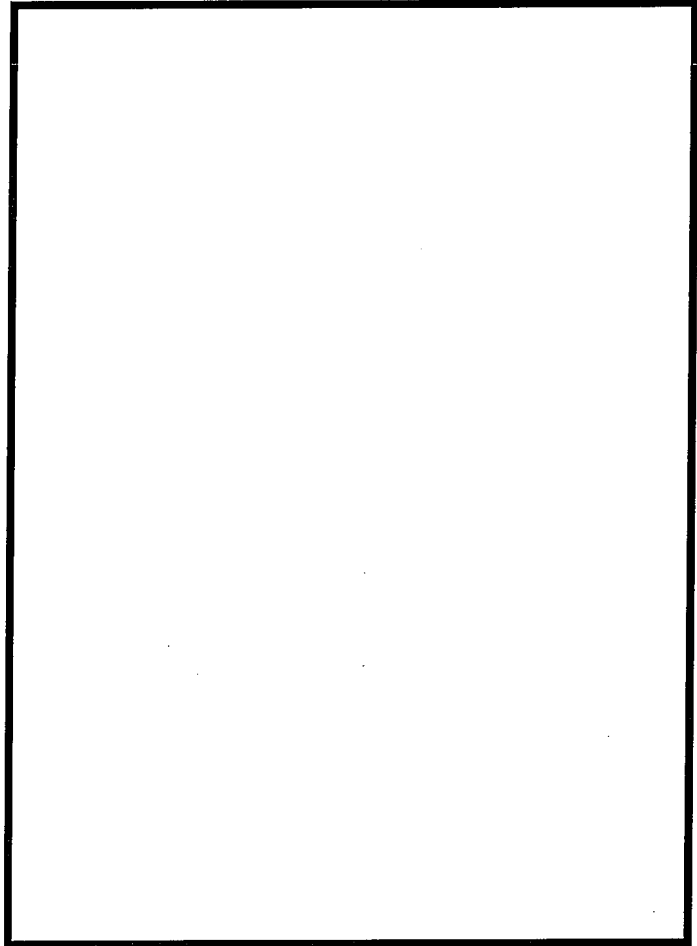


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

PHOTO

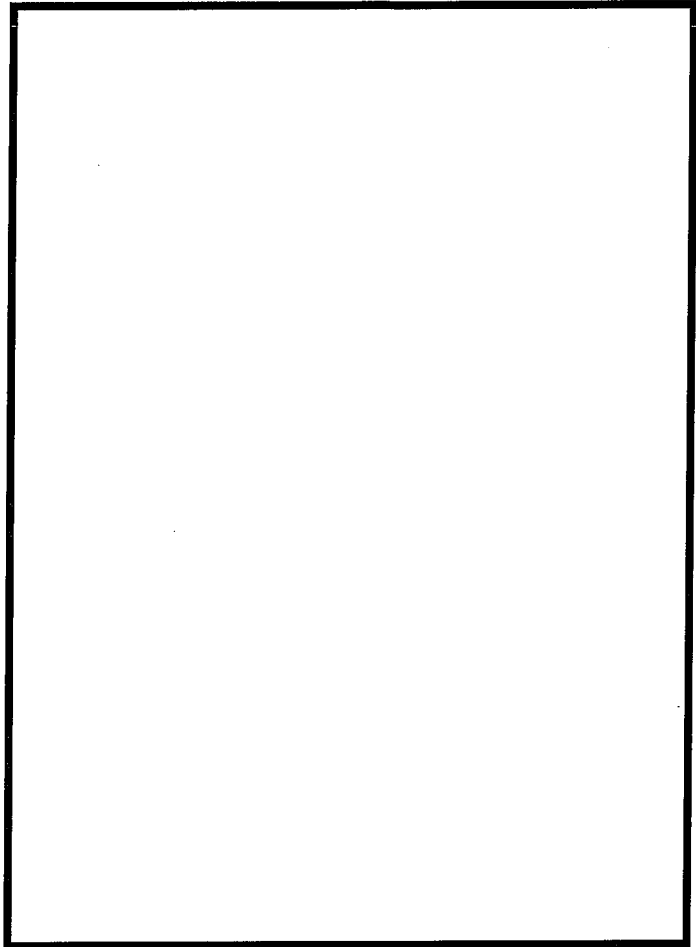


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

**WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY**

PHOTO

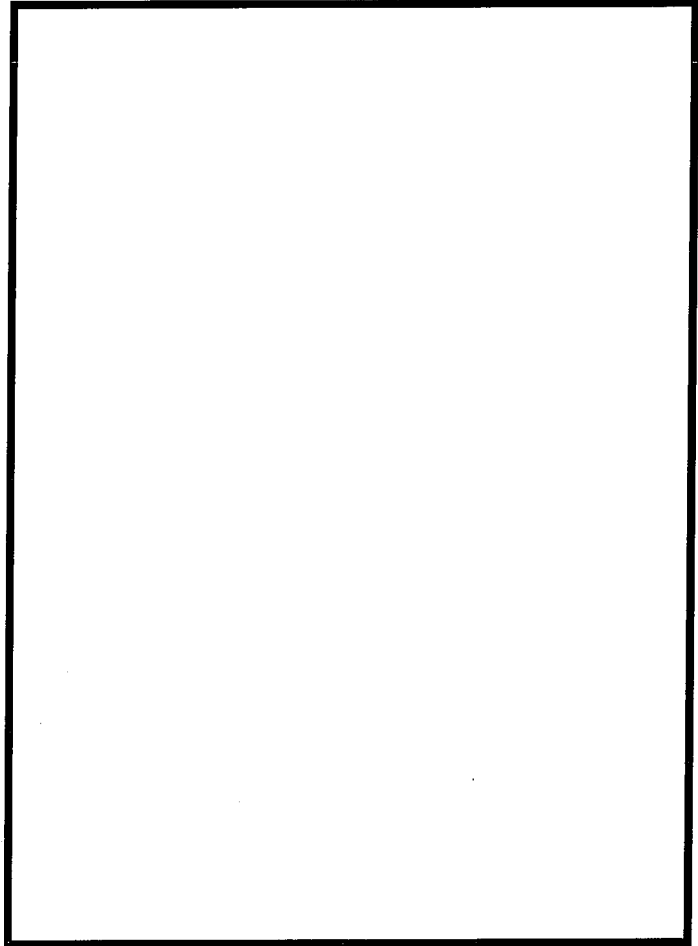


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

PHOTO

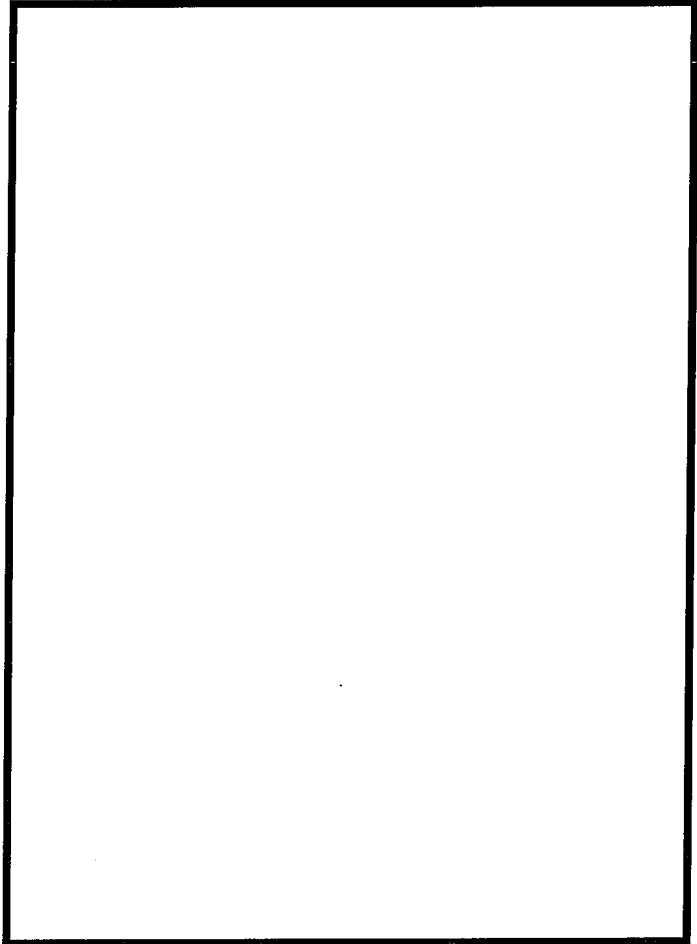


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

PHOTO

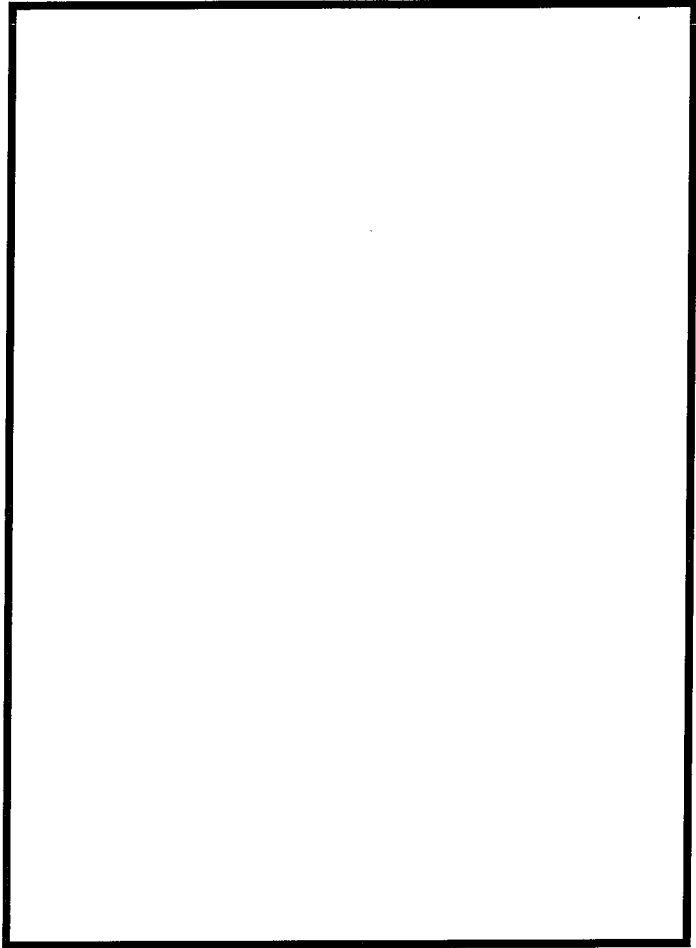


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

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PHOTOGRAPHS TO BE PRESENTED)

PHOTO

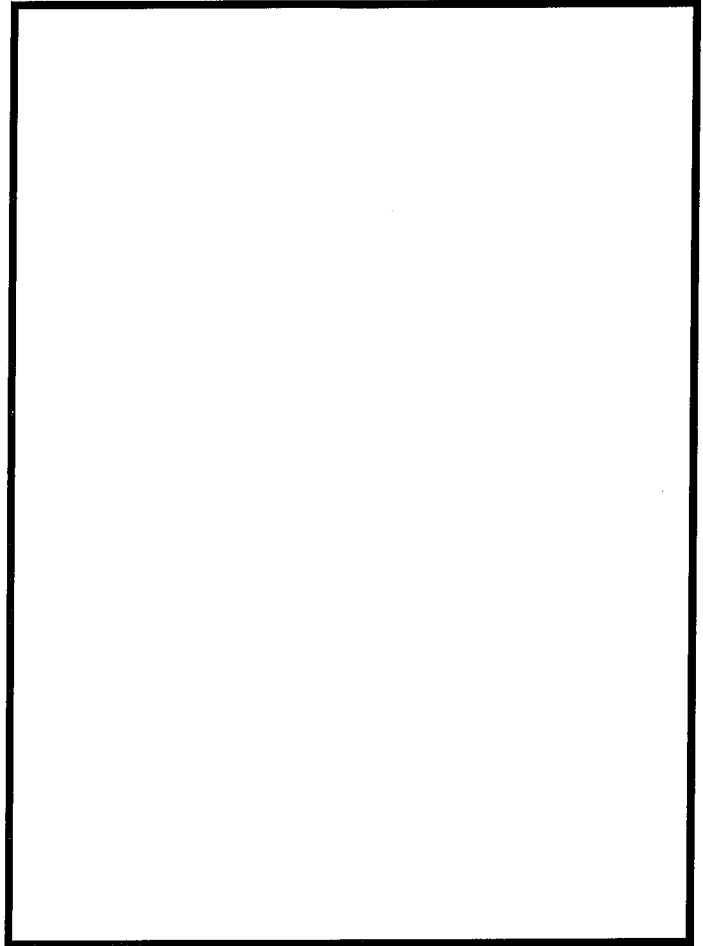


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office
Criminal Investigation Division

WITNESS CERTIFICATION STATEMENT
FOR PHOTO ARRAY

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PHOTOGRAPHS TO BE PRESENTED)

PHOTO

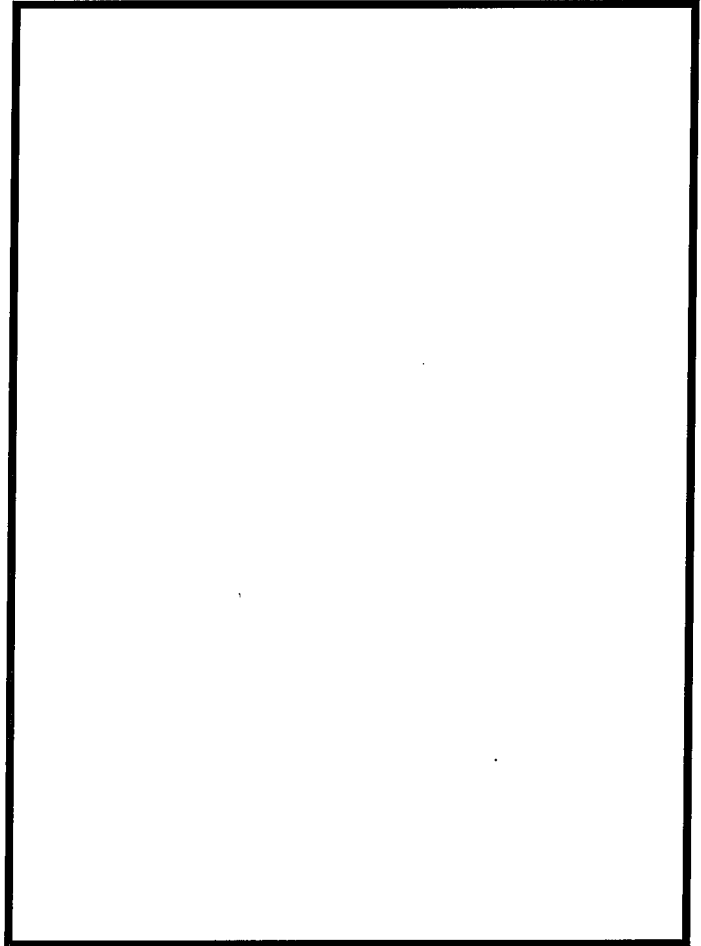


Image # _____

Viewed By: _____ (Signature)

_____ (Name)

Date / Time: ____ / ____ / ____ : ____ AM / PM

Comments: _____



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Adult Protective Service
Referrals (APS)**

Effective Date:
7/12/2012

Revised Date:

S.O.P. #:
0120

I. Procedure

The purpose of this directive is to establish procedures for Adult Protective Service Referrals.

1. All APS referrals will be assigned to a Detective/Investigator by the Unit Lieutenant.
2. The Detective/Investigator shall transfer the APS Referral into a preliminary offense report.
3. If the referral is substantiated to be a criminal offense, the case is to be investigated in a manner consistent with any criminal investigation.
4. If the APS referral appears to be false, supplement the case and clear it as Exceptionally Cleared by Adult (EA).
5. All APS referrals originating from Richmond State School will be reviewed by the appropriate supervisor. Once reviewed, the supervisor will, in communicating with the Office of Inspector General, determine which agency will be the lead agency so that the case may be investigated thoroughly.

6. All APS investigative reports will be forwarded to the Records Division.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Child Protective Service
Referrals (CPS)**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0122

I. Purpose

This directive shall serve as a guideline in support of established procedures for Child Protective Service Referrals. All reports must be referred to the appropriate law enforcement agency for possible criminal prosecution. During the 78th Regular Session, the Texas Legislature passed Senate Bill 669, requiring law enforcement to accompany CPS caseworkers when responding to Priority 1 reports of abuse/neglect that involve children who appear to face immediate risk of physical or sexual abuse.

II. Procedure

1. All CPS referrals originating from the Texas Department of Family and Protective Services will be reviewed by the appropriate supervisor. Once reviewed, the supervisor will, in communicating with Child Protective Services, determine which agency will be the lead agency so that the case may be investigated thoroughly.
2. An Administrative Clerk shall transfer the CPS Referral into a preliminary offense report.

3. All CPS referrals will be assigned to a Detective/Investigator by the Unit Lieutenant.
4. If the referral is substantiated to be a criminal offense, the case is to be investigated in a manner consistent with any criminal investigation.
5. All CPS original reports will be forwarded to the Records Division.

III. Priorities

Reports of child abuse or neglect are classified in one of two priority groups by CPS and the priority of the intake determines time frames for initiating the investigation. Intake staff assigns the appropriate priority based upon information available at the time the report is accepted. The field supervisor may specify a more exact timeframe for initiating the investigation.

1. **Priority I Reports:** Priority I reports include all reports of children who appear to face an immediate risk of abuse or neglect that could result in death or serious harm. Investigations of these reports must be initiated within 24-hours of receiving the call report.
2. **Priority II Reports:** Priority II reports include all reports of abuse or neglect that is not assigned as Priority I. These investigations must be initiated within 10-days of receiving the report.

IV. Un-Assigned Cases

Some reports received do not meet the statutory definition of abuse or neglect, as defined in the Texas Family Code, and thus are not assigned.

Reasons For Not Assigning Cases Include:

- 1.** The situation does not appear to involve a reasonable likelihood that a child will be abused or neglected in the foreseeable future;
- 2.** The allegations are too vague or general to determine whether a child has been abused or neglected or is likely to be;
- 3.** The report does not give enough information to locate the child or the child's family or household; or
- 4.** The situation is already under investigation; in which case staff are to merge the intake into the open investigation.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
On-Call

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0130

I. Procedure

The purpose of this directive is to provide uniformed guidelines and procedures for On-Call.

A. Supervisor On-Call

- 1.** There will be a supervisor and at least one Detective/Investigator from each unit on call each week.
- 2.** Upon being notified by the Patrol Sergeant of a crime that requires investigation the on-call Supervisor will:
 - a.** Initiate contact with patrol personnel and establish the status of the scene.
 - b.** Determine whether or not the criminal episode requires a Detective/Investigator to make the scene.
 - c.** Notify the appropriate on call personnel from the appropriate Unit.

d. Determine the investigative needs and summon the appropriate personnel to assist in the investigation.

- 1.** I.D. Personnel
- 2.** Detective/Investigator
- 3.** Crime Victim Liaison
- 4.** Public Information Officer
- 5.** Other ancillary support personnel deemed necessary

3. When deemed necessary, respond to the scene to coordinate the investigation and provide supervisory support.

4. The on call Supervisor shall respond to all scenes in the following incidents:

- 1.** Homicide
- 2.** Suspicious Infant Death
- 3.** Aggravated Kidnapping
- 4.** Aggravated Robbery with Serious Bodily Injury
- 5.** Aggravated Assault with Serious Bodily Injury
- 6.** Missing Person Endangered that requires more than a patrol response.
- 7.** Any type of high profile case that is likely to draw media attention.

5. The Supervisor on call shall notify the Administrative Lieutenant or Captain of the Criminal Investigations Division or the designee of any major crime scenes; in addition to the Duty Commander.

6. Insure the Duty Commander is aware of any major crime scenes.

7. If a search warrant is to be executed while on call, the Supervisor is responsible for reviewing the search warrant before it is signed by a Magistrate.

8. The on call Supervisor should accompany Criminal Investigations Division Personnel during the execution of the warrant if the warrant is not executed during routine hours.

B. Detective/Investigator On-Call

1. The on call Detective/Investigator, upon direction by the Criminal Investigations Division Supervisor, shall respond to the scene to conduct the investigation including but not limited to:
 - a. Assess the scene and make appropriate notations.
 - b. Insure the scene is properly handled and evidence collection will be done by the I.D. Division.
 - c. Complete witness interviews
 - d. Suspect interviews
 - e. Conduct follow-up investigation required.
 - f. Notify on call Supervisor of any additional needs.
2. When responding to a call check en route and continue to advise your status including on scene, clear of scene, and off duty. If this is not done the call history promotes a distorted view when the call history is retrieved.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Dress Code

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0140

I. Procedure

Criminal Investigation Division Dress code as designated in Policy Manual except for Fridays of each week in which case the following dress code will apply:

1. All personnel of the Criminal Investigations Division are expected to report to work dressed in clothing that is neat, clean and in good repair.
2. Acceptable dress is standard business attire or departmental issued "soft" uniform (cargo pants and polo shirt).
3. The "soft" uniform should fit well and be neat, clean and properly pressed. All appropriate buttons on shirts and pants must be fastened. All leather, plastic and metal articles shall be in presentable order.
4. "Soft" uniform articles must be replaced when faded, worn or no longer professional in appearance
5. Female employees are not required to wear hosiery and may wear open toed shoes.
6. Denim jeans are no longer allowed unless you received prior exemption from your unit supervisor.

7. Court Attire – The C.I.D. “soft” uniform shall not be worn for any court appearance. Male employees will wear shirt, tie, slacks and a sports coat or suit. Female employees will wear comparable attire.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
County Vehicles

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0150

I. Procedure

To establish guidelines and procedures for the use, maintenance and care of assigned county vehicles used by personnel of the Criminal Investigations Division.

1. County vehicles assigned to an employee should be clean inside and outside at all times. According to General Order 4 Section 2.42 each employee is responsible for their assigned vehicle. Any employee that is found in violation of this policy will automatically lose the privilege of a take home vehicle and may face further disciplinary action.
2. Any employee scheduled to take leave for three or more consecutive days is required to leave their vehicle at the Sheriff's Office. They will be provided a ride home and a return ride to work. The keys are to be given to the Unit Lieutenant who will notify the Administrative Lieutenant of the vehicle status.
3. If it deems necessary to impound a County Vehicle the employee is responsible for notifying their immediate supervisor or the on-call supervisor. County Vehicles and Evidence Tows impounded will be towed by A & M Automotive, the service company holding the current contract with the Fort Bend County Sheriff's Office, and stored at the Legion Storage Lot.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Death Investigations

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0160

I. Procedure

To establish guidelines and procedures for the notification of on-call personnel in significant incidents relating to a death.

1. On a non-hospice scene but where the deceased is under the care of an attending physician for a chronic illness, the on-call Criminal Investigations Division Supervisor or on-call Detective will obtain the telephone number of the attending physician from patrol. Either the on-call Criminal Investigations Supervisor the on-call Detective will contact the attending physician. If the physician will sign the death certificate, the proper information will be noted and the scene may be released.
2. If there is not an attending physician for the deceased or the attending physician refuses to sign the death certificate, the on-call Detective will respond to the scene and evaluate the facts. The on-call Detective will then contact the appropriate Justice of the Peace or Death Investigator and a determination will be made to have an autopsy or not.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Off Duty Employment – Extra

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0170

I. Purpose

The purpose of this procedure is to provide guidelines and procedures, as stated in the Fort Bend County Sheriff's Office Policy and Procedure Manual – General Order 41, to agency personnel related to acceptable off duty employment

II. Policy

Outside employment related to law enforcement is a privilege granted at the sole discretion of the Sheriff. As such, no employee shall be permitted to engage in outside employment, which in the Sheriff's opinion, constitutes a conflict of interest with the employee's primary responsibility as a Law Enforcement Officer.

Outside employment, Non-Law Enforcement is not subject to prior approval, however, employees are directed to notify their Chain of Command of the fact that they have elected to engage in such outside employment and the probable location of their employment.

III. Procedures

A. Off-Duty Employment Eligibility Requirements:

- 1.** Employees or members who fall under the following situations shall not request or participate in off duty or extra duty employment:
 - a.** During the initial probationary status or while on probation
 - b.** On sick leave, administrative leave, injury leave, or light duty status.
 - c.** On suspension, or have been relieved of duty as a result of a disciplinary action or pending disciplinary action
 - d.** Has failed to report the off duty employment to their immediate supervisor
 - e.** Ineligible to work the employment based on the employment's duties
 - f.** Failure to obey this procedure will result in immediate disciplinary action.

B. Off-Duty Employment Requirements:

- 1.** Employees or members must receive approval to work off duty employment. Employees or members desiring off duty employment must submit an Application for Extra Employment Permit through their Chain of Command. The request will be subject to approval by the Criminal Investigations Division Commander. A copy of the permit shall be made and placed in the employee's personnel file.

2. Employees or members shall not allow off duty employment to interfere with the scheduling, and on duty status of the Sheriff's Office. Employees or members shall not work off duty employment during scheduled on call status.
3. Employees or members shall not work any off duty employment where a conflict of interest exists. Any actual or potential conflict of interest shall be brought to the attention of the Criminal Investigations Division Commander.
4. No employee or member shall obtain confidential information from the Sheriff's Office, NCIC, TCIC, official records, files, Division of Motor Vehicle Records, or any software to which they have access to through their relationship at the Fort Bend County Sheriff's Office as an employee such as linx, N-DEx, etc. for the direct use of secondary employers.
5. Without the specific approval of the Chief Deputy, employees or members are prohibited from participating in any business that involves teaching or instructing, whether monetarily compensated or not, for any person or company when the instruction relates directly to the knowledge, training or experience obtained through law enforcement. This does not preclude an employee or member from teaching or instructing at approved schools or colleges. It is intended, however, to preclude employees or members from instructing civilians outside of a college setting in Law Enforcement Techniques.
6. Staff desiring off duty employment shall submit a request through their Chain of Command to the Chief Deputy. The request shall be in the form of a memorandum and shall state the specific duties and responsibilities to be performed. The Chain of Command is responsible for providing a recommendation to the Chief Deputy.

No employee or member who works in an undercover capacity will be allowed to work extra duty or off duty employment.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
**Proficiency Certificates &
Certification Pay**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0180

1. The Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) shall issue proficiency certificates in accordance with the Texas Occupations Code 1701.402. Commission certificates issued pursuant to 1701.402 are neither required nor a prerequisite for establishing proficiency or training.
2. To qualify for proficiency certificates, applicants must meet all requirements and submit the required application currently prescribed by the commission, along with the requested documentation and any fees required.
3. Beginning September 1, 2011 proficiency certificates will no longer be automatically generated and mailed to our agency. The Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) will continue to automatically award certificates as requirements are met, and these will be displayed on each licensee's personal status report. However, individuals who wish to receive an authentic certificate will need to submit an electronic application to TCLEOSE in addition to the \$35.00 fee.

4. For an employee to receive their increase in certification pay when a higher level of proficiency is reached, each employee must notify the Captain of the Criminal Investigations Division. The Captain will verify and submit the appropriate information to the Fort Bend County Sheriff's Office Human Resources Coordinator.

5. Fort Bend County Sheriff's Office Human Resources Coordinator is responsible for submitting an action form to Fort Bend County Human Resources. Once the action form is submitted the increase in certification pay will be effective the next pay period.



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Amber Alert

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0190

I. Purpose

This directive shall serve as the guideline by which the Houston Regional Amber Plan designed to help find missing children believed to be abducted. The Houston Regional Amber Plan program is a cooperative public service effort between local law enforcement, news media outlets, Amber Plan business partners, and the public.

II. Policy

The objective of the Amber Plan is the safe recovery of missing children that a law enforcement agency believes has been abducted and is in danger of serious harm or death. Missing adults, runaways and children taken in child custody disputes usually do NOT qualify for Amber Plan activation.

III. Criteria

- 1.** A Detective can request an Amber Alert if their investigation determines the child's disappearance meets the Amber Alert criteria:
 - a.** The child is 17 years of age or younger.
 - b.** The law enforcement agency believes the missing child has been abducted; unwillingly taken from their environment without permission from the child's

parent or legal guardian or taken by a parent or guardian during an act of murder or attempted murder.

- c. The law enforcement agency believes the missing child is in danger of serious bodily harm or death.
- d. The law enforcement agency has conducted an investigation that has verified the abduction or ruled out alternative explanations.
- e. Sufficient information is available to disseminate to the public that could assist in locating the child, suspect, or suspect's vehicle.

2. Based on the above criteria, the following situations do NOT qualify for Amber Plan activation:

- a. Missing child is believed to have run away from home
- b. Missing child taken by a non-custodial relative in a child custody case.
- c. Missing adult (age 18 or older)

IV. Procedure

- 1. If possible, obtain a photo of the child along with sufficient information to disseminate to the public
- 3. Notify and provide the Public Information Officer with all information and details.
 - a. The Public Information Officer will log on to a secure Amber Plan website or contact Beth Alberts, CEO,

Texas Center for the Missing at 713-409-2720 or via email: balberts@tcftm.org to issue the Alert.

- b.** News editors at KTRH-AM 740 (713-323-8740) will immediately broadcast on KTRH. Depending on the circumstances, KTRH may also activate the Emergency Alert System to request other radio, TV, and cable outlets re-broadcast the Amber Alert.

- c.** In addition to activating EAS, The Houston Regional Amber Plan will also use e-mail and broadcast fax technology to distribute the Amber Alert to other participating radio, TV stations, cable systems, law enforcement agencies and Amber Plan business partners within the thirteen-county area (Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Waller, Walker and Wharton counties).



Fort Bend County Sheriff's Office Criminal Investigations Division

Standard Operating Procedures

Subject:
Silver Alert

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0200

I. Purpose

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

II. Policy

The State Network has the ability to disseminate the Silver Alert to any geographical area in Texas, based upon investigate recommendations. Not all activations are considered "statewide". Once the Texas Department of Public Safety has confirmed that a request for activation of the State Network meets criteria, the State Operations Center (SOC) immediately notifies the following within the advisory area:

- a. Local, state and federal law enforcement agencies;
- b. Local primary media outlets;
- c. Texas Department of Transportation;
- d. Texas Lottery Commission; and
- e. Independent Bankers Association of Texas.

III. Criteria

A requesting law enforcement agency must meet all the below criteria in order to activate the State Silver Alert Network:

- a. Is the missing person 65 years of age or older?
- b. Is the senior citizen's domicile in Texas?
- c. 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).
- d. 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?
- e. Is the Silver Alert request within 72 hours of the senior citizen's disappearance?
- f. 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).

Note: Medical documentation required for activation of the state's Silver Alert Network should appear on physician's letterhead, indicating the impaired mental condition, date of diagnosis, patient's name, with physician's signature.

IV. Procedure

The below procedures should be used by a law enforcement agency when requesting activation of the state's Silver Alert network:

- a.** Download Silver Alert Request Form from the Department of the Public Safety's website at <http://www.txdps.state.tx.us/dem/Operations/Alerts/index.htm>
- b.** Fax the Silver Alert Request Form to the State Operations Center (SOC), Texas Division of Emergency Management at (512) 424-2281 or (512) 451-2291.
- c.** Email available photographs of the missing senior citizen to the SOC at soc@dps.texas.gov.
- d.** Contact the SOC at (512) 424-2208 or (512) 424-2277 to ensure the Silver Alert Request Form was received.
- e.** Ensure appropriate entries are made within the Texas Crime Information Center and National Crime Information Center (TCIC/NCIC).
- f.** Inform the SOC of any updates, to include when the missing senior citizen is located.
- g.** Silver 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.
- h.** In addition to submitting a Silver Alert, contact the Fort Bend County Sheriff's Office Public Information Officer and request that a Press Release be disseminated.

- i. It is important to contact your regional program (if applicable). Texas regional programs are an effective tool, providing the public with rapid alert notifications through organized local resources. Each regional program operates independently of the State Network and must be contacted separately to request activation. Not all Texas regional programs will have a "Silver Alert" capability.
- j. To verify if your agency has access to a regional program, contact the SOC at (512) 424-2208 or (512) 424-2277.

V. Resources:

Physicians Guide Brochure

<http://www.txdps.state.tx.us/dem/documents/PhysiciansGuideBrochure.pdf>



**Fort Bend County Sheriff's Office
Criminal Investigations Division**

Standard Operating Procedures

Subject:
**Acknowledgement & Receipt of
Standard Operating Procedure
Manual**

Effective Date:
7/19/2012

Revised Date:

S.O.P. #:
0300

I, Lieutenant / Detective _____ of the
(CIRCLE ONE) (NAME)

Fort Bend Sheriff's Office, Criminal Investigations Division acknowledge that on this _____ day of _____, 20____ have received a copy of the Standard Operating Procedure Manual of the Criminal Investigations Division, Fort Bend County Sheriff's Office. I have read this procedure manual and fully understand each directive. I have no questions as to the contents and understand that I am to abide by the directives set forth.

Print Name

Signature



**Fort Bend County Sheriff's Office
Criminal Investigations Division**

Standard Operating Procedures

Subject:
**New Detective
Training Checklist**

Effective Date:
7/19/2012

Revised Date:
7/25/2013

S.O.P. #:
0310

Detective/Investigator _____ **Date Assigned** _____

Current Assignment _____ **Unit Number** _____

Detective/Investigator Trainer _____

(Trainer and Trainee initial upon completion)

Introduction

- _____ **Tour of facilities**
- _____ **Supervisor's introductory meeting**
- _____ **Introduction to Division personnel**
- _____ **Issuance of Unit Standard Operating Procedure Manual**
- _____ **Issuance of keys**

_____ **Issuance of assigned equipment and vehicle**

_____ **Issuance of Identifications**

_____ **Issuance of LD Phone code**

_____ **Issuance of Jail Phone User ID**

_____ **Issuance of Tiburon ID**

_____ **Completion of applications for procurement and
fleet cards**

_____ **Read and discuss SOP**

_____ **Familiarization with Unit paper flow**

_____ **Received DA & Judge Contact List**

Tiburon Computer System

_____ **Tiburon Sign On**

_____ **Tiburon Preliminary Report**

_____ **Tiburon Supplement Report**

_____ **Tiburon Case Management**

_____ **Tiburon Detective Activity Code Guide.**

_____ **Tiburon Web Query**

_____ **Trainee is able to conduct name search both full
name and partial name search.**

_____ **Trainee is able to conduct vehicle search with complete license plate and partial license plate search.**

_____ **Trainee is able to conduct location search using general location search tool and CAD "call for service" tool and understand the difference between both searches.**

_____ **Trainee is able to conduct a property item search by serial number or by description.**

_____ **Trainee is able to find a mug shot using "TIPS" from the main Tiburon screen.**

_____ **Trainee is able to conduct a search for suspect and prepare and save a photo line up in "TIPS" from the main Tiburon screen, as well as obtaining Texas driver license image and having it exported into TIPS.**

_____ **Criminal history including RAP**

_____ **Wanted Persons**

_____ **Stolen vehicle / property Query**

Data Bases

_____ **DIMS / User Name/Password**

_____ **TLO / User Name/Password**

_____ **DPS Image / User Name/Password**

_____ **Trainee is able to prepare photo spreads utilizing the DPS Driver License photo image CD and a photo obtained from the DPS image website.**

_____ **Leads on-line / User Name/Passwords**

_____ **HPD terminal**

_____ **Sugar Land terminal t**

_____ **Linux / User Name/Passwords**

_____ **TEDEX / User Name/Passwords**

_____ **LEARN**

_____ **Brazos Tech / Citations**

Reporting/Statements/Affidavits

_____ **Trainee is able to complete preliminary report**

_____ **Trainee is able to complete a supplement**

_____ **Trainee is able to complete and obtain consent to search forms**

_____ **Trainee is able to complete / obtain a written audio recorded Affidavit**

_____ **Trainee is able to complete / obtain written and audio recorded Voluntary Statement.**

_____ **Trainee understands the requirements for an audio recorded statement.**

_____ **Trainee understands the difference between Affidavit and Custodial Voluntary Statement.**

_____ **Trainee understands the requirements for obtaining a statement from juveniles (both custody and non-custody).**

_____ **Trainee is able to complete Arrest Warrant Affidavit**

_____ **Trainee is able to complete Search Warrant Affidavit**

_____ **Trainee has obtained Arrest Warrant**

_____ **Trainee has obtained Search Warrant**

_____ **Trainee has executed Arrest Warrant and completed return**

_____ **Trainee has executed Search Warrant and completed return.**

Evidence/Property Handling

_____ **Trainee is able to properly document chain of custody of evidence items, i.e. date, time, of collection and disposition.**

_____ **Trainee is able to submit ID Service request**

_____ **Trainee understands property release procedures**

Case Filing

Introduction to staff at the District Attorney's Office

Location of District Attorney's Intake Office and procedure for filing case.

Trainee is able to prepare a DA Pack for Adult

Trainee is able to prepare a DA Pack for Juvenile

Location of Juvenile Intake and procedure for filing case.

Location of Juvenile Probation and filing of case

Familiar with specialized Equipment

Surveillance Van

Bandit

Bandit Training completed

Leo Training completed

Varda Box

ST820 Tracking Device

DeWalt Tracking Device

Body Mic

Surveillance Cameras / Pole Cameras

_____ **Cell Phone recording device**

_____ **Spy Pens**

_____ **C.I.D. Interview room audio and video equipment.**

_____ **Katy Annex Interview room audio and video equipment.**

_____ **Jail phone recording system.**

Robbery / Homicide

_____ **Trainee is familiar with death inquest proceedings and Texas law pertaining to when a Justice Inquest is required on a dead body, Texas CCP Chapter Forty Nine.**

_____ **Trainee knows how to contact a Justice of the Peace and or a Death Investigator in Fort Bend County.**

_____ **Trainee is familiar with Death Investigation Form (s), their purpose; and how to complete each form. (Trainee is further aware that the forms are forwarded to the Galveston County Medical Examiner's office before an autopsy is conducted.)**

_____ **Trainee understands the difference between a Justice Inquest and an autopsy.**

Trainee is provided with the address of the Galveston County Medical Examiner's office, and the Harris County medical Examiner's office and is familiar with how to drive to either location.

Trainee has attended an Autopsy.

Special Crimes

Procedures for filing Emergency Protective Order

Procedures for family Violence Case

Trainee is familiar with Domestic Violence Checklist

Trainee is familiar with Sexual Assault Checklist

Introduction to CAC

Trainee is familiar with Alternate Light Source

Burglary Theft / Auto Theft / Fraud

Trainee is familiar with disposition of stolen property pursuant to Chapter 47 CCP

Trainee is able to complete request for Chapter 47 hearing and submit to proper magistrate.

Trainee has attended Chapter 47 Seizure Hearing

Trainee is familiar with Pawn Shop Affidavits

_____ **Trainee is familiar with seizure and forfeiture of
contraband pursuant to Chapter 59 CCP**

_____ **Trainee is able to complete a forfeiture affidavit
and submit to District Attorney.**

Supervisors Progress Review #1

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

Supervisors Progress Review #2

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

Supervisors Progress Review #3

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

Supervisors Progress Review #4

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

Supervisors Progress Review #5

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

Supervisors Progress Review #6

Notes: _____

Detective Trainee Signature / Date

Detective Supervisor Signature / Date

I, _____ have completed orientation and training in the above listed areas. This training was completed on _____, 20__.

Detective Trainee (print)

Detective Trainee Signature

Date

Detective Trainer (print)

Detective Trainer Signature

Date

Detective Supervisor (print)

Detective Supervisor Signature

Date

Revised 08/06/2013



**FORT BEND COUNTY
SHERIFF'S OFFICE**

POLICY MANUAL

Milton Wright, Sheriff

POLICY AUTHORIZATION AND EFFECTIVE DATE

This general manual is an official publication of the Fort Bend County Sheriff's Office, having given due consideration to the recommendations of the Gallagher - Westfall Group Risk Management Action Plan dated July 30, 1996. This general manual has the force of an order. All employees of the Fort Bend County Sheriff's Office are required to comply with the provisions of this general manual unless by their nature the provisions are clearly inapplicable to a particular instance.

Departmental policies are those top administrative decisions and expressions which stake out the broad path by which a goal or goals will be reached. Their primary purpose is to provide positive guides for operational decisions which must be made at lower levels. (Policies have some flexibility; and, when necessity dictates, there can be some deviation in a given case, but the deviation must be fully justified and explained in each instance.) The use of the verbs "WILL" and "SHALL" are indicative of a mandatory requirement. The use of the verb "MAY" is permissive, suggested action.

NOTICE: This policy is for departmental use only and does not carry the authority of law in criminal or civil proceedings. No department policy is correctly construed as a creation of a particular legal standard of safety or care in any evidentiary sense with respect to entitlement or other claims of any kind or nature. Violation of policy may only form the basis from intra-departmental administrative sanctions.

We, the undersigned, herein state that we have individually reviewed this use-of-force and related policies document, and we herein accept and approve this document in its entirety. By our signatures, we hereby place this policy into full force and effect as the guiding policy for the Fort Bend County Sheriff's Office.

Acceptance/Approval Signatures

Milton Wright
Milton Wright, Sheriff

Ben "Bud" Childers
Ben "Bud" Childers, County Attorney Approved as to form

Mike D. Rozell
Mike Rozell, County Judge

R. L. "Bud" O'Shieles
R. L. "Bud" O'Shieles, Commissioner

Grady Prestage
Grady Prestage, Commissioner

Andy Meyers
Andy Meyers, Commissioner

Bob Lutts
Bob Lutts, Commissioner

Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____

The effective date of this policy is 12:01 a.m. on 9/1/98.

Mission Statement

of the

Fort Bend County Sheriff's Office

It is the mission of persons employed by the Sheriff's Office of Fort Bend County, to protect the lives, property and rights of all people in this County. In accomplishing this mission, Sheriff's Office employees shall be at all times courteous, impartial and diligent. In the execution of their duties, they shall be guided by those constitutional and legal principles, which are the foundation of the United States of America and the State of Texas.

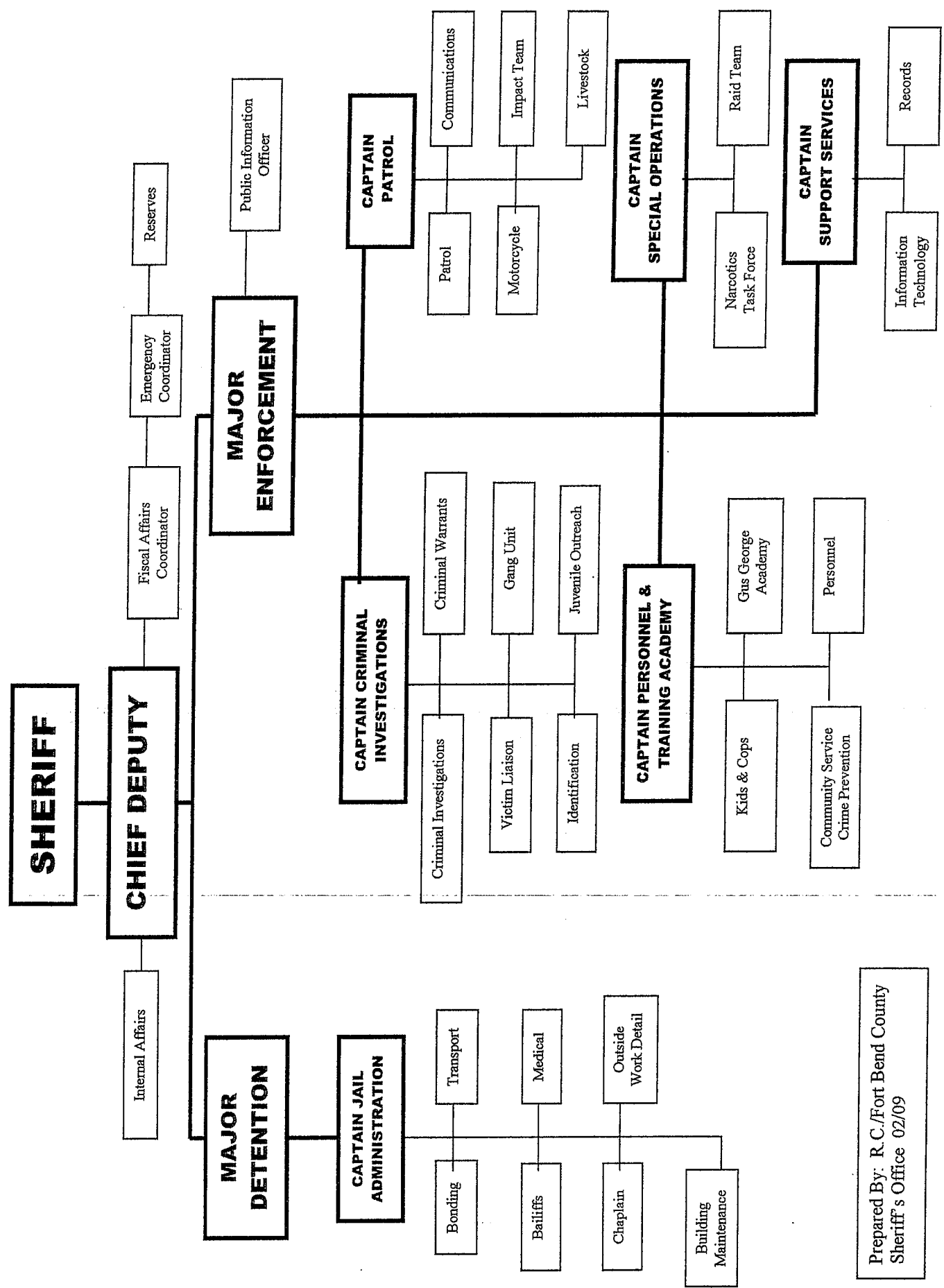
FORT BEND COUNTY SHERIFF'S OFFICE

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**FORT BEND COUNTY SHERIFF'S OFFICE
ORGANIZATIONAL CHART**



Prepared By: R.C./Fort Bend County Sheriff's Office 02/09

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 1

SUBJECT: Department Organization

- I. **PURPOSE:** to provide all department employees with a detailed description of the Department's organizational structure, in order to ensure that basic organizational principles may be applied. Those principles include organization by function, ensuring unity of command, delineation of duties and responsibilities, and the delegation of authority.
- II. **STRUCTURE AND SCOPE OF THE FORT BEND COUNTY SHERIFF'S OFFICE** is reflected in the department organizational chart. Titles of organizational units are listed in order of rank:
 - A. Department shall be the Fort Bend County Sheriff's Office.
 - B. Bureau shall be a major functional activity of the Department.
 - C. Division shall be a major functional activity within a Bureau.
 - D. Section shall be a specialized unit within a Division.
 - E. Detail shall be an assignment or a duty.

III. **BUREAUS AND DIVISIONS ESTABLISHED:**

The Fort Bend County Sheriff's Department shall be organized into two major bureaus and five major divisions. The components and their responsibilities are:

- A. **Enforcement Bureau**-Commander is a Captain responsible for:
 - 1. **Patrol Division**-Commander is a Lieutenant responsible for:
 - Patrol
 - Traffic
 - Livestock
 - Search & Rescue
 - Alarm Unit
 - 2. **Detective Division**-Commander is a Lieutenant responsible for:
 - Burglary & Theft Section
 - Homicide / Assault / Gang Section
 - Special Crimes Section
 - Fugitive Apprehension Section
 - Victim Witness Liaison
 - 3. **Support Services Division**-Commander is a Lieutenant responsible for:
 - Communications Section
 - Records Section
 - Identification Section
 - 4. **Narcotics Division** – Commander is a Lieutenant.

B. **Detention Bureau**-Commander is a Captain responsible for:

County Jail and Shift Lieutenants
Bonding
Transport
Courtroom Security

C. **Administrative Services**-(Division Commanders report to Chief Deputy)

1. **Personnel & Training Division**-Commander is a Lieutenant responsible for:

Gus George Law Enforcement Academy
Personnel Section
Crime Prevention Section
D.A.R.E. Section

2. **Fiscal Affairs Division**-Commander is a Civilian Supervisor responsible for:

Payroll & Budget
Property Inventory
Building Maintenance

IV. **DEPUTY POSITIONS ESTABLISHED** - the order of rank in the department shall be:

- A. Sheriff
- B. Chief Deputy
- C. Captain
- D. Lieutenant
- E. Sergeant
- F. Corporal
- G. Investigator
- H. Deputy/Correctional Officer/Telecommunications Supervisor

I. Telecommunications Operator

V. **POSITIONS DEFINED:**

A. **Sheriff.** The Sheriff is the chief executive officer of the Department. Upon him rests final authority for determining office policies, together with full responsibility for the complete discharge of all duties imposed on him by law.

As chief executive officer the Sheriff must officially sanction and approve any changes in office organization before the changes may be put into effect. The detailed methods of directing and controlling specific functions of the Department or of its Bureaus and Divisions may be developed by designated subordinate personnel, but the original direction, fiscal management, and adoption of the guiding principles rests with the Sheriff. The Sheriff shall designate any position of command or responsibility he feels necessary for the administration of the Department.

B. **Chief Deputy.** The Chief Deputy is appointed by the Sheriff and is subordinate in rank only to the Sheriff. He is second in command of the department, and serves as chief administrator and executive to the Sheriff. The Sheriff may at any time, detail or relate specific administrative and executive duties to him.

C. **Captain.** Each Captain is appointed by the Sheriff and is subordinate in rank only to the Sheriff and Chief Deputy. The Captain serves as commander of his assigned bureau and supervises Division Commanders or Shift Lieutenants under his span of control.

D. **Lieutenant.** Each Lieutenant is appointed by the Sheriff and shall be responsible for, and exercise command over, the function of the division or shift to which he is assigned. A Lieutenant is subordinate to his Bureau Captain, if one exists, the Chief Deputy, and the Sheriff, and is charged with the responsibility to establish and enforce Standard Operating Procedures for his division which is not in conflict with the General Orders of the Department.

A Lieutenant is responsible for the planning and conduct of various programs to maintain competent levels of performance of personnel assigned to his Division or shift. It is his duty to aid, advise, and cooperate with the Sheriff, Chief Deputy, and Captain in coordinating operations, general administrative matters, and determining matters of policy. He may prescribe rules and regulations for the conduct of employees under his command which do not conflict with the general rules and regulations prescribed by the Sheriff, Chief Deputy, and Captain.

E. **Sergeant.** Each Sergeant is selected by the Promotion Board, subject to the final approval of the Sheriff. He is designated as a watch supervisor and is responsible for the direct supervision of deputies assigned to his watch in the performance of their duties, and to assist the Division or Shift Lieutenant in the implementation of and adherence to all Department rules and regulations.

F. **Investigator-Detective.** Each detective is selected by the Promotion Board, subject to the final approval of the Sheriff. He is responsible for the conduct of specific criminal investigative services which are assigned to him by the Division Lieutenant, or his supervisory Sergeant.

G. **Investigator-Identification.** Each ID investigator is selected by a review board, subject to the final approval of the Sheriff. He is responsible for the conduct of specific investigative services which are assigned to him by the Division Lieutenant, or his supervisory Sergeant.

VI. SPECIAL POSITION

A. **Acting Sheriff.** During the temporary absence of the Sheriff, the Chief Deputy automatically assumes all duties and responsibilities of the Sheriff. During the temporary absence of both the Sheriff and Chief Deputy, A designated Captain assumes all duties and responsibilities of the Sheriff. During the temporary absence of the Sheriff, Chief Deputy, and Captain, a designated Lieutenant may assume command during their absence.

B. **Duty Commander.** The Duty Commander is appointed by the Sheriff and acts in the capacity of chief administrator and executive during the weekends and holidays and enforces all rules and regulations set forth by the Sheriff. He will also handle the administrative and executive function of the Department in the absence of the Sheriff, Chief Deputy, and the Captain. He is directly responsible to the Sheriff and Chief Deputy. It is his duty to see that a high level of efficiency is maintained within all Bureaus and Divisions

C. **Night Commander.** The Night Commander is a permanent position appointed by the Sheriff and shall be a deputy of Staff Rank. He shall act in the capacity of chief administrator and executive during his assigned duty hours (usually weekdays after normal working hours).

He is directly responsible to the Sheriff and Chief Deputy and will cooperate with the Bureau and Division Commanders while overseeing the after hours activities of the department.

D. **Acting Authority.** Deputies who are directed to act in capacities above their existing rank shall, for the necessary time, possess the authority of the position to which they are temporarily assigned.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 2

SUBJECT: Written Directives System

- I. **PURPOSE:** To establish a formal written directives system in order to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. Further provided are definitions and procedures for the development, issuance, maintenance, and retention of the agency's formal written directives.
- II. **POLICY:** All organizational components of the department shall prepare and issue written directives in accordance with these guidelines.
- III. **WRITTEN DIRECTIVE:** for purposes of this manual the term written directive means any written document used to guide or affect the performance or conduct of agency personnel. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

Written directives may be issued in any one of the following forms:

- General Order
- Standard Operating Procedure
- Special Order
- Personnel Order
- Instructional Material
- Memorandum

- A. General Order- shall mean a permanent written directive concerned with policy, rules and regulations, and procedures affecting more than one of the agency's organizational components.

Guidelines for issuance of a general order

1. A general order may be issued only by the Sheriff
2. General orders shall be directed to all agency personnel
3. All general orders shall be issued on a standardized general order format form
4. All general orders shall be assigned a document number which corresponds to the placement of the document into the department manual.
5. Instructions shall accompany each general order directing the employee to place the general order into his copy of the department manual or to replace an existing document with the new document.
6. All general orders shall be effective from the date of issue until they are replaced, revised, or canceled by a special order or memorandum. Amendments to general orders shall be issued only by the Sheriff.
7. A receipt shall be signed by each agency employee acknowledging that he has received a copy of the general order and the agency shall maintain a file of such receipts.
8. All general orders shall be reviewed at least annually by the agency's staff members to determine if they require revision or cancellation.

- B. Standard Operating Procedure (SOP)- shall mean a written directive affecting the members of a specific organizational component or Bureau, and concerns policy, procedures, rules and regulations, and guidelines for carrying out agency activities.

Guidelines for issuance of a Standard Operating Procedure (SOP)

1. A standard operating procedure may be issued by the Division Commander of the affected bureau after approval of his immediate superior officer.
2. Each Division Commander shall be responsible for maintaining a Division Manual containing a collection of current Standard Operating Procedures affecting his division.
3. All SOPs shall be issued on a standardized SOP format form.
4. All SOPs shall be issued a document number corresponding to their placement in the division SOP manual and an issue or revision date.
5. Instructions shall accompany each SOP directing the affected employee where to place a copy of the document into his division manual.
6. Amendments to existing SOP's shall be done in the form of a special order or memorandum including revisions, replacements, and cancellations.
7. All bureau SOPs shall be reviewed at least annually by the Division Commander.

- C. Special Order - shall mean a directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

Guidelines for issuing special orders

1. A special order may be issued by a Division Commander or person of higher rank so long as the content affects only persons under the signing authority's span of control. An exception would be an acting duty commander or night commander who is acting on behalf of the Sheriff.
2. Special orders should be issued on an official department letterhead and shall contain the following information at a minimum:
 - a. A designation of the document as a special order
 - b. Distribution information designating the affected employees or components
 - c. The effective dates or be a self-canceling document.
 - d. The subject matter
 - e. Signature of the person issuing the special order
3. Special orders are not intended to become a permanent part of the department manual.

- D. Personnel Order - shall mean an announcement of changes in the status of personnel such as transfers or promotions.

Guidelines for issuing a personnel order

1. A personnel order may be issued by a Bureau Commander (Captain) or person of higher rank.
2. Personnel orders should be issued on an official department letterhead and shall contain the following information at a minimum:
 - a. A designation of the document as a personnel order
 - b. Distribution information designating the affected employees or components
 - c. The effective dates or be a self-canceling document.

- d. The subject matter
- e. Signature of the person issuing the personnel order
3. Personnel orders are not intended to become a part of any department manual.

E. Memorandum - is an informal written document that may or may not convey an order. It is generally used to clarify, inform, or inquire.

Intra-agency written communications should be done in the form of a department memorandum and may be prepared by any agency employee. The memorandum should include at a minimum:

1. Date of issue
2. Name of person(s) or component addressed by the memo
3. Name of person issuing the memo and his signature or initials
4. A reference to the subject matter

F. Instructional Material - shall mean training guides, bulletins, checklists, etc. These type documents will generally be issued by agency personnel who hold supervisory positions and are responsible for the training of subordinates.

IV. THE DEPARTMENT MANUAL

A. All agency employees shall be issued a heavy duty 3-ring binder containing dividers and tabs for organizing the agency's written directives. The manual will be divided into two major sections. The first section will be a collection of all current general orders and will be referred to as the general orders manual. The second section will be a collection of all division SOPs that are specific to that person's division assignment and will be known as the SOP manual. Should an employee be transferred from one division to another, it is intended for him to simply replace the second section of his manual with the new section issued by his new division. Together, the general order manual and the SOP manual contained in a common binder will be known as THE DEPARTMENT MANUAL.

B. Documents contained in the department manual will not contain a signature of the person issuing the directive. The purpose being that any administrative change in staff personnel will not render an entire set of directives obsolete.

C. Table of Contents

A table of contents will be placed at the beginning of all department manuals. The table of contents is a summary of manual contents, listed in order of appearance. In addition to listing the various rules, regulations, and procedures found within the manual, the Table of Contents should also list other entries into the manual, such as the Introduction, Message from the Sheriff or Division Commander, and other pertinent entries.

D. The Sheriff; will retain the authority to modify any or all of the procedures as outlined in this manual necessary toward serving the best interest of the Department.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 3

SUBJECT: The Gus George Law Enforcement Academy

- I. PURPOSE:** To establish the Gus George Law Enforcement Academy, and detail its organization, authority, and responsibilities.
- II. POLICY:** The Gus George Law Enforcement Academy of Fort Bend County shall be a function of the Personnel and Training Division of the Sheriff's Office. It shall serve as the primary training provider for the commissioned peace officers of the Fort Bend County Sheriff's Office. It shall identify, develop, and discharge training programs which address the needs of the employees of the Department and the peace officers of Fort Bend County and neighboring jurisdictions. Training shall be discharged as mandated by the laws of the State of Texas and in accordance with the rules and regulations of the Texas Commission on Law Enforcement Officer Standards and Education

III. ACADEMY ORGANIZATION:

The Academy shall be organized as follows:

- A. ACADEMY DIRECTOR** - This is a position appointed by the Sheriff and shall be an individual of Staff Rank within the Fort Bend County Sheriff's Department. The Academy Director must meet the standards and requirements set forth in T.C.L.E.O.S.E. rule 211.65 governing Academy Training Coordinators. The Academy Director shall be responsible for the overall operation of the Academy function, and shall report through the Department chain of command, as the specific situation warrants. The Academy Director will research, organize, and discharge programs which will address the training needs of the peace officers within the Academy service area. The Academy Director shall be responsible for the supervision of all assigned personnel at the Academy, and shall identify, evaluate, select and appoint the instructors who discharge the Academy training programs. The Academy Director shall assist in the selection of any other assigned personnel who work in the Academy function.
- B. ACADEMY SERGEANT** - A position filled by an individual of Sergeant Rank within the Fort Bend County Sheriff's Department. This individual will assist the Academy Director in the discharge of the Academy function, including, but not limited to: instruction, the discharge of administrative duties, supervision of other assigned personnel, and other duties designated and assigned from time to time by the Academy Director. This position shall serve as second in command at the Academy and will report to the Academy Director
- C. PERSONNEL COORDINATOR** - The Personnel Coordinator shall be responsible for administering the department's personnel processes to include recruiting, application, testing, selection of applicants, and salary administration. The Personnel Coordinator while assigned to the Academy will generally not be involved in training programs however, from time to time may be called upon to assist with training matters. The Personnel Coordinator shall report directly to the Director of Personnel and Training.
- D. TEACHING ASSISTANT** - The Teaching Assistant shall assist the Academy Director and Academy Sergeant in their duties. The responsibilities include preparation of reports

and maintenance of records related to the Academy's training programs. The Teaching Assistant also coordinates certain courses and conducts lessons in the classroom. The teaching assistant reports directly to the Academy Director.

- E. **ACADEMY SUPPORT PERSONNEL** - One or more individuals assigned to the Academy to facilitate the discharge of Academy training and any other assigned functions. These individuals may be secretaries, clerks, or sworn personnel, and their selection and assignment shall be determined by the needs of the Fort Bend County Sheriff's Department and the Academy.

- IV. **AUTHORITY & RESPONSIBILITY** -The Academy shall have the authority to conduct such research and assessments necessary to identify the training needs of the Department and its service area and to therefrom develop training programs to address those identified needs. The Academy shall also schedule and discharge training programs in a meaningful and logical manner. It shall be the responsibility of the Academy and its Staff to maintain training records for all of its programs and students; to identify the training needs of its service area; to make reports to the Texas Commission on Law Enforcement Officer Standards and Education, as their rules and regulations dictate; and to discharge other duties and responsibilities deserving of a first rate law enforcement training facility, and as required by law and the policies of the Fort Bend County Sheriff 's Department.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 4

SUBJECT: Code of Conduct and Appearance

- I. **PURPOSE:** To provide agency employees with general rules and regulations concerning employee conduct and appearance.

GENERAL RULES AND REGULATIONS

- 1.01. **Suggestions for good of the department.** An employee desiring to make a suggestion for the good of the Department should submit a detailed statement of same, in writing, through proper channels addressed to his immediate supervisor.
- 1.02. **Policy in Public Relations.** It is Department policy that employees shall strive to gain public support and win friendly citizen cooperation for Department programs and procedures in order to facilitate the accomplishment of the Department's objectives. The attitude of each employee shall be one of service and courtesy, but not servility or softness. In nonrestrictive situations, the employee should be pleasant and personal, and on occasions calling for regulation and control, the attitude shall be firm and impersonal, but avoiding the appearance of rudeness.

DUTY, EFFICIENCY, AND SAFETY

- 2.00 **General Duties.** Deputies shall preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property, and enforce those federal and state statutes which the department is required to enforce by law or policy.
- 2.01 **Conformity to Rules and Regulations.**
- A. It shall be the duty of every employee to thoroughly familiarize himself with the provisions of the Department Manual. He shall conform to, and abide by, such rules and regulations, observe the laws and ordinances, and render his services to the County with enthusiasm, courage, discretion, and loyalty.
- B. An employee, when assigned to duty with other Department personnel, shall be jointly responsible for compliance with rules and regulations and proper performance of duty.
- 2.02 **General Discharge of Duties.** Deputies are required to discharge their duties in a calm and firm manner and they shall act together, assist and protect each other, in the maintenance of law and order.
- 2.03 **Performance of Duty.** Employees of the Fort Bend County Sheriff's Office shall exhibit enthusiasm and assume responsibility while performing assigned duties. They shall exercise diligence, proper demeanor, intelligence, and interest in the performance of those duties. Failure to do so may be deemed incompetence and may subject the employee to disciplinary measures.

- 2.04 **Specific Duties.** Notwithstanding the assignment of specific duties and responsibilities, all employees shall perform all such other duties as may be required of them by competent authority.
- 2.05 **Obedience.** Deputies shall strictly obey and properly execute any lawful order issued by his designated supervisor or a commanding officer. A commanding officer may be a ranking deputy or any officer who has been placed in charge of a specific task, operation, or incident by reason of department policy and procedure or by specific orders from competent authority.
- 2.06 **Addressing Ranking Deputies.** When in the presence of the public, deputies and employees shall address fellow employees by their rank, or the titles of Mr., Mrs., or Miss, as the circumstances warrant.
- 2.07 **Harmony and Cooperation.** Employees shall conduct themselves in a manner that will foster the greatest harmony and cooperation between each other and Divisions of the Department, as well as all other City, County, State, and Federal Government employees.
- 2.08 **Public Statements.** No employee shall address any public gathering, or join any organization, or appear on radio or television programs, or write articles or manuscripts for publication, wherein he is identified as a spokesman for this Department unless duly authorized and in compliance with existing procedures.
- 2.09 **Derogatory Remarks Directed Against Orders.** Employees shall not speak critically or derogatorily to other employees, or to any person outside of the Department, regarding the orders or instructions issued by any supervisor. However, in any case where there is sound reason to believe that such orders or instructions are inconsistent, unjust, or unlawful, it is the right of any employee receiving same to respectfully and privately call it to the attention of the supervisor issuing the order.
- 2.10 **Confidential Information.**
- A. Employees shall treat as confidential the official business of the department. They shall not discuss or impart same to anyone except those for whom it is intended, or as directed by their supervisors, or under due process of law.
 - B. Employees shall not make known to any person the contents of any confidential and/or sensitive directive which they may receive, unless so required by the nature of the order.
 - C. Contents of any criminal record filed in the Department shall be exhibited or divulged only to those persons as prescribed by State and Federal guidelines and department policy.
- 2.11 **Removal of Official Records Prohibited.** Employees shall not remove any official record of the department except as directed by their supervisors or under due process of law.
- 2.12 **Duty to Report Information.** It shall be the duty of every employee to properly report any information given him in good faith by any citizen regarding matters which indicate the need for action by the Department.

- 2.13 **False Information in Record.** No employee shall make false official reports, or knowingly or willingly enter or cause to be entered in any Department book, records, or reports, any inaccurate, false or improper police information or material matter.
- 2.14 **Withholding Evidence.** An employee shall not fabricate, withhold, or destroy evidence of any kind.
- 2.15 **Duty to Give Statement During Official Investigation.** During the course of any official investigation by this department, any employee shall be required to give a full, complete and truthful statement if requested.
- 2.16 **Police Action.** A Deputy shall report and take proper action in any situation requiring police attention within a reasonable time after arriving on the scene thereof.
- 2.17 **Efficiency.** In carrying out the function of the Department, employees shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standard of efficiency.
- 2.18 **Threatening or Insulting Language.**
- A. An employee shall not use threatening, vulgar, or insulting language or behave in an arrogant manner toward any other member of the department, the public, or prisoners in custody of the Department.
 - B. An employee shall not use uncomplimentary terms of speech in referring to any prisoner or another person, or intentionally antagonize any person with whom he comes in contact.
- 2.19 **Custody of Prisoners.** Any Deputy or Deputies who have in their custody any person or persons under arrest or detention shall be responsible for the proper safeguarding of such person or persons and their property.
- 2.20 **Cruel Treatment of Persons or Animals.** No employee shall at any time, or for any reason, willfully subject any person or animal to cruel treatment or willfully neglect the necessary humane action which the circumstances may require.
- 2.21 **Recommending Lawyers or Bondsmen to Prisoner or Others.** An employee shall not recommend or suggest to anyone the employment or name of any person, firm, or corporation, as attorney, counsel, or bondsman (nothing herein shall be construed as restricting the rights of the employees in connection with the conduct of their private affairs).
- 2.22 **Soliciting Reward.** No employee shall solicit any reward for the performance of his duties or suggest or ask for a gratuity of any kind, individually or collectively.
- 2.23 **Acceptance of Bribes.** No employee shall accept a bribe or engage in any act of extortion or other unlawful means of obtaining money or property through his position with the department.
- 2.24 **Handling of Monies and Property.** Any monies or other properties coming into the possession of any employee (which is not his own) shall be delivered to the proper custodian and a report made of the transaction.

- 2.25 **Incurring Liability Against County.** An employee shall not incur a liability chargeable against the department or the County of Fort Bend except with the knowledge, consent, and approval of proper authority.
- 2.26 **Hours of Duty.**
- A. Employees of the Department shall have regular hours assigned to them for active duty each day, and when not so engaged, they shall be considered "off duty." They shall, however, be held to be always subject to duty as needed for emergency assignments and working conditions. The fact that they may be technically "off duty," shall not be held as relieving them from the responsibility of taking proper police action on any matter coming to their attention at any time.
 - B. With the exception of those absences during a regularly assigned vacation period, it shall be the duty of all Deputies to advise their immediate supervisor when they absent themselves from the County of Fort Bend for a period exceeding 48 hours.
- 2.27 **Punctuality.** Employees shall be punctual in reporting for duty at the time and place designated by their supervisor. Habitual failure to report promptly at the time directed shall be deemed neglect of duty.
- 2.28 **Absence Without Proper Leave.** No employee shall absent himself from duty without proper leave, or shall be absent from duty without permission.
- 2.29 **Sleeping on Duty.** An employee shall not sleep while on a regular tour of duty.
- 2.30 **Loitering.** Deputies while on duty shall not loiter in cafes, drive-ins, service stations, or other public places.
- 2.31 **Cowardice.** Deputies shall not display cowardice or fail to support their fellow Deputies in the performance of duty.
- 2.32 **Untruthfulness.** Employees shall not make false statements to supervisors when questioned, interviewed, or in submitting reports.
- 2.33 **Personnel Information.** The Department is entitled to have the correct name, address, and telephone number of all its employees, and to know whom to notify in case of emergency. Every employee will provide the required information to their Division Commander, who will in turn provide same to the Department Personnel Coordinator and Communications unit.
- 2.34 **Cleanliness and Neatness.**
- A. It shall be the duty of all employees to keep themselves in a clean and sanitary condition. Frequent bathing and proper barbering shall be practiced to maintain a neat appearance.
 - B. Uniforms shall be kept as neat as possible at all times; leather accessories shall be kept dyed and clean; metal parts shall be shined, and gun and handcuffs shall be kept clean and in serviceable condition.

2.35 **Use of Alcohol.**

- A. An employee shall not drink any kind of intoxicating liquor when on duty, except as may be plausible (as a specific duty assignment may necessitate) in the performance of duty.
- B. No employee shall report for a regular tour of duty or be on a regular tour of duty while under the influence of liquor or drugs, or be unfit for duty because of such use. The odor of alcohol on the breath will be considered presumptive evidence.
- C. No intoxicating liquor shall be consumed by employees on any premises occupied by any Division of the Department.
- D. Employees, whether on or off duty, if found intoxicated in a public place, shall be subject to immediate relief of duty pending an investigation.

2.36 **Use of Narcotics.** Employees of the Department shall not use habit forming drugs or narcotics unless such drugs or narcotics are properly prescribed by a physician for an illness or injury.

2.37 **Smoking.**

- A. All employees shall observe any designated smoking/non-smoking areas on Fort Bend County Property.
- B. Employees of the Department, while on duty, shall not smoke while conducting interviews or under like conditions where smoking may be detrimental to good conduct, appearance, or procedure.
- C. Employees assigned to desk duty shall not smoke while transacting business or conversing with citizens.

2.38 **Court Cases.**

No employee shall use their position within the Department to alter or interfere with any court proceeding.

2.39 **Court Attendance.**

- A. All employees of the Department subpoenaed in cases before the courts are to be punctual in attendance. They shall be dressed in full uniform or civilian clothes of good taste and business-like appearance.
- B. They shall have the cases in which they are concerned properly prepared, and all property which is to be used as evidence shall be suitably arranged for presentation to the court.
- C. Employees shall observe the utmost attention and respect toward magistrates at all times.
- D. When giving testimony, employees shall not chew gum. They shall speak calmly and explicitly, in clear, distinct, and audible tone, so as to be easily heard by court and jury.

- E. They shall testify with the strictest accuracy, confining themselves to the case before the court and neither suppress nor overstate the slightest circumstance with a view of favoring or discrediting any person.

2.40 **Official Correspondence or Communications.**

- A. An employee shall not engage in official Departmental correspondence or use Department stationary unless he has specific authority to do so.
- B. An employee shall be bound by Departmental orders in conveying official Departmental communications by telephone, Teletype, or otherwise outside the Department.

2.41 **Use of Communications Facilities.** No employee shall use county communications facilities for personal, social, or unofficial purposes.

2.42 **Care of Property and Equipment.** An employee shall be responsible for the proper care, maintenance, and serviceable condition of any County property, either fixed or movable, issued for or assigned to his use. He shall also report to his supervisor the loss of, damage to, or unserviceable condition of any County property issued for, or assigned to his use. Willful or negligent abuse, mutilation or destruction of County property shall be cause for disciplinary action.

2.43 **Responsibility for Items of Identification.** Each employee shall be personally responsible for the items of identification issued to him as a member of the Department, including, badge and identification card. An employee shall not permit any other person to borrow or use the items of identification issued to him by the Department. Loss of such items shall be reported immediately to his Bureau Commander.

2.44 **Identification Card and Firearms.** A Deputy shall carry or have in his immediate presence at all times a firearm as prescribed by Departmental orders, and his departmental issued identification card, unless he has been exempted by his supervisor.

2.45 **Misappropriation of Property.** Employees shall not appropriate for their own use any evidence, or lost, found, stolen recovered, or County owned property.

2.46 **Use of County Vehicles.** Employees shall not use a County vehicle which is not assigned to them personally without the knowledge or permission of their supervisor. County vehicles will be used only as authorized by competent authority.

2.47 **Unauthorized Persons Riding in County Vehicles.** An employee operating any County vehicle, shall not permit persons other than authorized employees of the Department to ride in such vehicle, except such persons as are required to be conveyed in the performance of duty, or as authorized by competent authority.

2.48 **Operation of Motor Vehicles.**

- A. Employees when driving vehicles of any description, private or of the County, shall not violate the traffic laws. They shall set a good example for other persons in the operation of their vehicles.

B. No employee shall allow, at any time, an unauthorized person to operate a County owned vehicle or have in his possession the keys to such vehicle.

2.49 **Damage to Real or Personal Property.** Any damage to real or personal property committed in the execution of official duties and responsibilities shall in every instance be promptly reported in writing.

2.50 **County Property in Possession of Employees Upon Separation.**

Whenever any employee is suspended, resigns, or is separated from the Department for any reason, he shall surrender to his commanding supervisor, all the property in his possession belonging to the County.

2.51 **Mental or Physical Incapacity**

Incapacity due to mental or physical disability may result in relief from duty, suspension, or dismissal from the department. A medical exam may be required, prior to reinstatement and the disciplining authority shall in such instance approve the physician to make such an examination.

RULES OF GENERAL CONDUCT

3.01 **Violation of Laws.** No employee shall willfully violate any federal statute, state law, or local ordinance.

3.02 **General Behavior.** No employee shall act or behave privately or in any official capacity in such a manner as to bring discredit upon himself or the Department.

3.03 **Disorderly Conduct.** No employee shall become intoxicated or disorderly in a public place at any time.

3.04 **Neighborhood Disputes.** Employees shall not intentionally become involved in neighborhood quarrels or disputes, either on duty or off duty.

3.05 **Gambling.** No game of chance for stakes or wagers in violation of any law shall be played by any employee of the Department, except as may be plausible (as a specific duty assignment may necessitate) in the performance of duty.

3.06 **Relations with the Public.** Employees shall at all times be respectful, courteous, and civil with the public and each other and shall not use profane, insolent, or abusive language toward any individual.

3.07 **Relations with Other Law Enforcement Officials.** Employees shall be respectful, courteous, and civil with all law enforcement officials, including officers of voluntary organizations.

3.08 **Fraternization Prohibited.** Employees shall not fraternize with, engage the services of, accept services from, or do favors for any person in the custody of the Department or their families and friends.

3.09 **Soliciting Free Admission, Services, Merchandise, Favors.**

Employees shall not use their positions with the Department to seek free admissions to places of amusement, sporting events, etc. Furthermore, employees shall not solicit free meals, refreshment, or transportation or any other favors or gratuities which would not ordinarily be accorded a private citizen.

3.10 **Obligation to Family.** An employee shall be required to properly support his dependents.

3.11 **Indebtedness.** Employees shall pay their just debts. They shall not sell or assign their salaries or incomes, or contract any debts or liabilities which they are unable or unwilling to pay. Neither shall they refuse to promptly pay all indebtedness, claims and judgements and satisfy all executions that may be held or issued against them.

3.12 **Patriotic Courtesy.**

A. To the Flag.

- (1) On approach to the Flag, Deputies in uniform (with hat on) will face the Flag and render a military salute.

B. The National Anthem:

- (1) When the National Anthem is played, Deputies shall stand at attention and, if in uniform, shall render a military salute.
- (2) When in a motor vehicle, the vehicle shall come to a stop, the driver of the car will sit at attention, and all passengers will alight and stand at attention.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 5

SUBJECT: Personal Appearance, Grooming and Dress Requirements

- I. **PURPOSE:** To provide guidelines and establish standards regulating personal appearance, grooming and dress requirements for all agency employees while conducting official departmental business or while conducting other business in which the department is openly represented.

This order is not intended to be all-inclusive. Personnel will be governed by the Fort Bend County Sheriff's Office tradition and by instruction from supervisory personnel for any area not specifically covered.

- II. **POLICY:** All agency employees shall maintain high standards of personal appearance while representing the Fort Bend County Sheriff's Office.

III. PERSONAL APPEARANCE AND GROOMING:

A. General Regulations:

1. All personnel will maintain a clean and neat business-like appearance while conducting official department business or representing the department in any manner.
2. Uniforms and/or required clothing shall be pressed and accessories polished.
3. Courtroom appearance shall be in official department uniform or in conservative business attire.

B. Male Personnel:

1. Hair – will be worn in moderate style. It will not extend past the top edge of the collar and no more than one-third down from the outside top of the ear.
2. Facial Hair – a short and neatly trimmed mustache that does not extend below the lip may be worn. No beard is permitted. Sideburns shall not extend below the bottom of the outer ear opening (top of the ear lobe) and shall end in a clean shaven horizontal line.
3. Fingernails – must be kept clean and at a moderate length.

C. Female Personnel:

1. Hair – will be neat and worn in moderate fashion giving attention to length with respect to officer safety.
2. Makeup – will be conservative.
3. Fingernails – must be kept clean and at a moderate length.

IV. DRESS REQUIREMENTS:

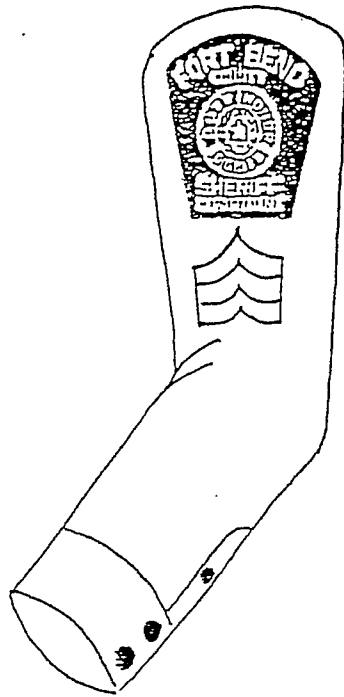
- A. Uniform – personnel assigned to uniformed positions shall wear the prescribed uniform as specified in appendix 1 unless otherwise directed by the division commander.
- B. Civilian Clothing – personnel routinely assigned to work in civilian clothing shall wear conservative business attire. See APPENDIX 2.
- C. Weapons/Handcuffs – sworn personnel attired in civilian clothing either on or off duty, shall not carry weapons or handcuffs in a conspicuous manner or otherwise exposed to view.
- D. Off-Duty – personnel who are in the Sheriff's Office while in off-duty status will be dressed in casual dress of good taste or in conservative business attire. Tank-tops, shorts, shower thongs, etc., will be inappropriate.
- E. Jewelry – employees shall not wear gaudy or excessive amounts of jewelry. Ear adornments will not be worn by male employees while conducting official departmental business.
- F. Uniform Replacement – when part of the uniform becomes unserviceable due to wear and tear, the employee shall return the item to his/her immediate supervisor for replacement.
- G. Exclusions:
 - 1. Employees assigned to mechanical maintenance duties shall wear department issued work clothes while on duty.
 - 2. Employees assigned to undercover or special operations shall wear clothing and equipment that is appropriate for the specific duty. The division commander responsible for the special operations function may designate or approve deviation from existing dress requirements.

APPENDIX 1

UNIFORM DEPUTY

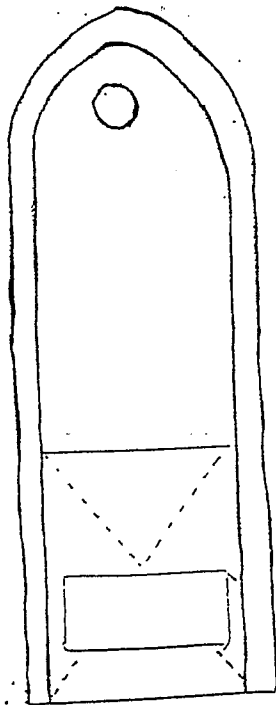
1. Hat – optional but if worn it must be regulation issue. All uniformed personnel are to maintain a winter and summer hat for occasions when a uniform hat will be required.
2. Jackets – (windbreaker and heavy jacket) are to be affixed with departmental shoulder patch and cloth badge. If the jacket is equipped with metal badge attachment pad the uniform badge may be worn in lieu of the cloth badge.
3. Shirt – Regulation Issue.

Long Sleeve – twelve month option. When worn, the long sleeve shirt must be worn with a tie except that a black high neck dickie or high neck sweat shirt may be worn in lieu of the tie. The dickie or sweat shirt may display the word Sheriff in white letters on the neck, or it may be plain.
4. Tie – regulation issue according to established policy.
5. Trousers – regulation issue.
6. Department Badge – regulation issue. To be worn over left breast pocket of uniform shirt.
7. Name Plate – regulation issue. To be worn over right breast pocket of uniform shirt. Silver for all employees below the rank of Sergeant. Gold for Sergeant and above.
8. Department Patch – regulation issue. To be worn on both sleeves as illustrated on page 4 of Appendix 1.
9. Rank Insignia – regulation issue. Sergeant stripes to be worn on both sleeves of shirt and jackets.
10. Footwear – boots or shoes, black with plain toe, no design or stitching.
11. Socks – black in color for low quarter shoes.
12. Belt – Plain black leather.
13. Service Belt (River belt or Sam Brown) black in color either Clarino or Flat Black. Belt utilities such as handcuff case, cartridge holder, weapon holder etc., must match the belt. Keepers will be used to stabilize the service belt to the waist belt.
14. Service Emblems – see page 5 of Appendix 1.

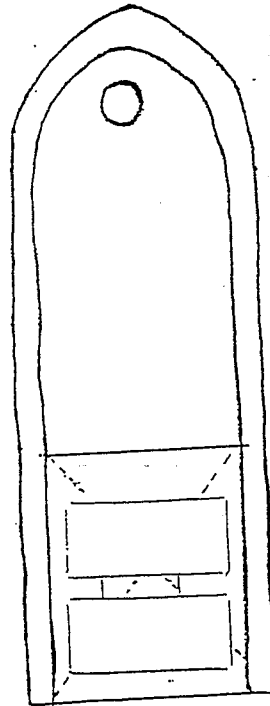


SHOULDER PATCH AND
SERGEANT STRIPES.

SAME FOR SHORT SLEEVE
SHIRT, LONG SLEEVE SHIRT
AND JACKETS.



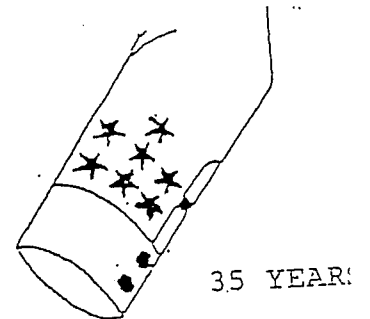
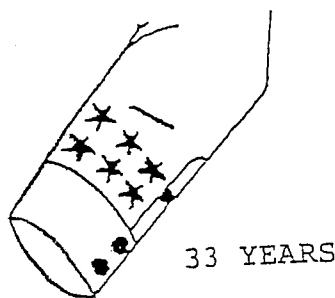
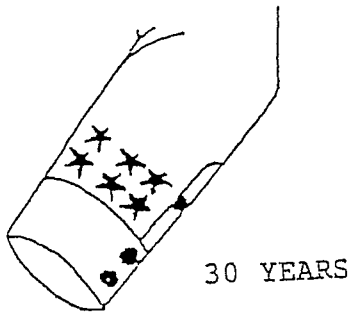
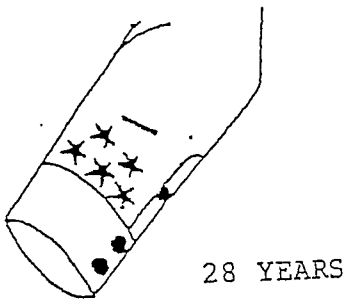
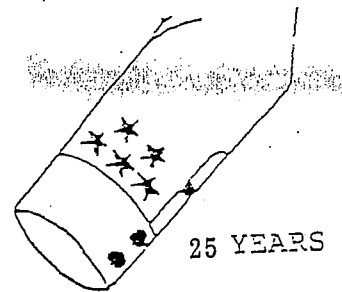
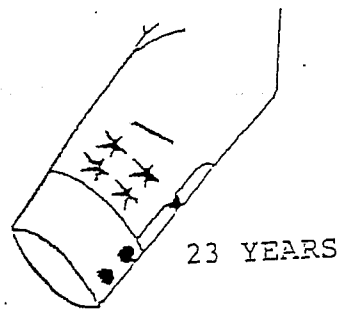
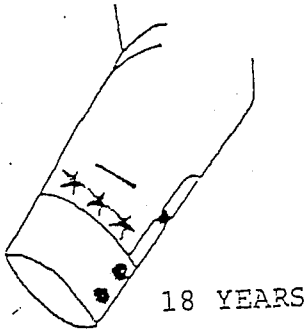
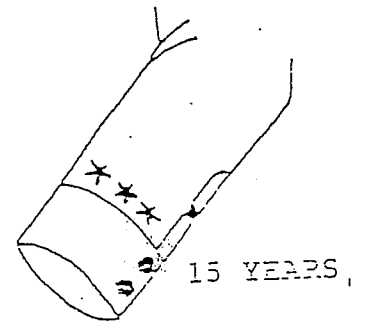
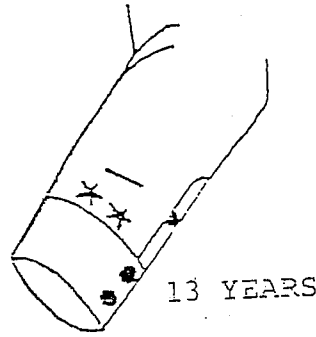
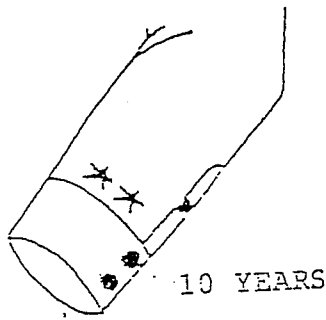
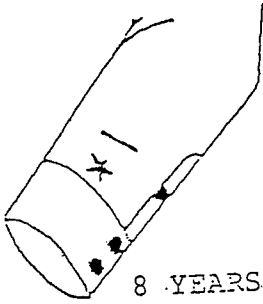
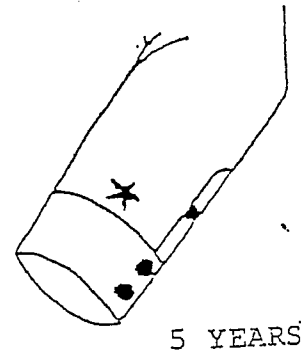
EPAULET-LIEUTENANT



EPAULET CAPTAIN

SERVICE EMBLEMS ARE OPTIONAL
 ON LONG SLEEVE SHIRTS AND
 LIGHT JACKET AND MAY BE
 MOUNTED WITH RESPECT TO
 TOTAL FULL TIME CERTIFIED
 LAW ENFORCEMENT SERVICE.

MOUNTING POINT IS ONE FOURTH
 INCH FROM TOP OF CUFF HEM ON
 THE LEFT SLEEVE.



APPENDIX 2

Guidelines for Plain Clothes Personnel

All plain clothed personnel will maintain a high degree of professionalism, decorum, and appearance. Apparel style will reflect the prevailing conservative social trends. Elaborate styles, fabrics and footwear are prohibited.

Male Employees:

1. Male employees will report for work and Departmental functions in suits or appropriate dress slacks with coordinated sport jacket, shirt and tie.
2. Color and style of footwear will be coordinated with the particular type of dress.

Female Employees:

1. Female employees will report for work and Departmental functions attired in dresses, coordinated slacks with blouse and jacket or coordinated skirt and blouse.
2. Hosiery and brassieres will be worn at all times.
3. Color and type of shoes will be coordinated with the style of dress.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 7

SUBJECT: Supervision

- I. **PURPOSE:** To establish Department policy concerning supervisory responsibility and the relationship between supervisors and their subordinates.
- II. **POLICY:** Supervisory Duties and Responsibilities:
 1. Each and every member of the Department (with the exception of the Sheriff) shall have a supervisor, namely the next above him in line of command.
 2. Each supervisor is accountable for the proper execution of order by personal presence, established rules, instructions given, or delegation of authority. Lack of physical presence does not relieve him of supervisory responsibility.
 3. It shall be the duty of every supervisor to know who he is supervising at all times. It shall be the duty of every employee to know his supervisor.
 4. Each supervisor shall be required to take all reasonable steps to determine that each employee under his supervision performs his duty completely and promptly and complies with all Department rules and regulations. He shall accept his full share of the responsibility for achieving essential objectives.
 5. Each supervisor shall assume the responsibility for the supervision of all members subordinate to him in the chain of command. He shall not divert this responsibility.
 6. Each supervisor shall strive to create and maintain high morale among the personnel, constantly evaluating the quality and quantity of supervision exercised by subordinate personnel.
 7. Each Supervisor shall by act, manner, and attitude, promote understanding of and compliance with all procedures essential to effective organizational control. He shall convey the intent and spirit of orders and directives to his subordinates.
 8. **Supervisory Delegation of Authority** - Each supervisor shall make suitable and clear-cut delegations of authority toward the end that maximum efficiency may be achieved. Each employee shall be accountable for the use of delegated authority.
 9. **Improved Procedures** - Each Supervisor shall develop sound and resourceful procedures on the basis of his own experience and that of others, to the end that these techniques may be transferred from experienced personnel to new personnel. He shall encourage the contribution of new ideas by his subordinates.
 10. Each Supervisor shall strive to match capabilities of subordinates accurately with the requirements of assignments to be executed.
 11. Each supervisor shall inspire confidence and industriousness by the use of tact in giving orders and in correcting mistakes. He should test understanding of

instructions so that subordinates know in detail what they are to do and how to do it, and if desirable, the reasons thereof.

12. **Responsibility for subordinates**- Each supervisor shall have knowledge of his subordinate's progress and assist them by counsel and advice. He shall be expected and required to suggest and recommend solutions to problems which arise during the tour of duty of subordinates.
13. Each supervisor shall strive to maintain a high level of morale and respect through friendly but reserved conduct toward subordinates. He shall personally set a good example.
14. **Evaluation of Subordinates' Work**- Each supervisor shall be fair, impersonal, and objective in evaluating the work of his subordinates.
15. Each supervisor should strive to assist subordinates and improve their welfare. The solution of many personal problems may be facilitated by advice and counseling on the part of the supervisor. The result is increased efficiency and high morale.
16. **Supervisory Responsibility for Subordinate's Conduct** - Each supervisor shall investigate the report of laxity in performance of duty or the violation of Departmental rules on the part of his subordinates. After determining the facts, he shall report his findings in writing to his supervisor.
17. **Supervisory Devices** - Supervision will be implemented by:
 - a. Regular inspections;
 - b. Incident Reports
 - c. Inspection of Reports by Supervisors acting as follow-up officials.
 - d. Delegated assignment follow-up
 - e. Formal Evaluations
 - f. Commendation
18. **Reports of Sickness** - Each supervisor shall determine the authenticity of sickness or disability calls made by or in behalf of subordinates. He shall take actions to make a determination concerning the justification for the absence and provide any additional assistance a subordinate may require.
19. Each supervisor shall be responsible for the development and maintenance of proper attitudes by his subordinates in dealing with fellow employees and the public.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 8

SUBJECT: Policy Governing Required Leave of Absence to run for Elected Office

- I. **PURPOSE:** The purpose of this Order is to establish and explain the requirement that any member of this Department take an unpaid leave of absence from active duty during any period between the qualification for election for any Fort Bend County elected office or state elected office which requires service within Fort Bend County.

The Sheriff recognizes that some employees of this Department may desire to serve the people of Fort Bend County as an elected official and it is the goal of this Department to allow employees the opportunity to pursue such goals while, at the same time, preserving the integrity of the Department and maintaining both the fidelity of the service provided to the citizens of and visitors to, Fort Bend County. Because a strong and cordial intergovernmental relationship between this Department and numerous elected officials of Fort Bend County, as well as state elected officials who serve within Fort Bend County, is vital to the performance of the duties of this Department, and because employees of this Department have an inherent conflict of interest in serving those goals while, at the same time, seeking election to any such office, it is the policy of this Department that employees seeking such positions shall take a leave of absence from the Department, and their related responsibilities of County law enforcement, while they pursue their interest in elected office.

- II. **POLICY:** It shall be the policy of this Department that any employee who may qualify for candidacy for an elected office of Fort Bend County or any state elected office that requires the elected official to serve at any time in Fort Bend County as a normal function of that state elected position shall, no later than the date of qualification as a candidate for such office, the employee will be placed on unpaid leave status.

III. **PROCEDURES:**

- A. Any employee who qualifies as a candidate for such elected position shall immediately notify the Sheriff, in writing, that he or she is a candidate for such office.
- B. The employee will, at that time be placed on unpaid leave status and shall remain on that status until one of the following events occur:
1. The election is completed and the employee either returns to their position in the Department or voluntarily resigns to assume the duties of their elected position;
 2. The individual is disqualified or voluntarily withdraws from the race before the election and notifies the Sheriff, in writing of that fact; or
 3. The employee decides, of their own volition, to resign their position with the Department before the election.
- C. Any employee who complies with all of the provisions set forth within this Order shall be permitted an unpaid leave of absence, without any loss of seniority, pay scale, or benefits, until the one of the conditions described in Section III(B) occurs. At that time, the employee will be expected to return to work in either their former position or in a reassigned position which, under the circumstances relating to their prior role, absence, and status of replacement employee the Sheriff may deem appropriate.

D. Nothing contained within this Order should be considered to discourage an employee from seeking elected office, if that is their goal. However, compliance with these provisions will be required in such cases.

IV. **RESPONSIBILITIES:** Knowledge of this Order and compliance with all terms, shall be the responsibility of each employee. Failure to comply with all provisions of this policy in a timely manner may result in discipline including, but not limited to, termination of employment.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 9

SUBJECT: Policy Governing the Handling of Violations Involving Licensed Concealed Handguns

The issuance of a license to carry a concealed handgun to qualifying citizens by the Texas Department of Public Safety carries with it certain obligations of the license holder. One such obligation is to display the license as outlined below in the Texas Government Code.

GC 422.205 DISPLAYING LICENSE; PENALTY. (EXCERPT)

- (b) If a license carrier is carrying a handgun on or about the license holder's person when a magistrate or a 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 the department and the license holder's handgun license.
- (c) A person commits an offense if the person fails or refuses to display the license and identification as required by subsection (a) or (b). An offense under this subsection is a class B misdemeanor.

Pursuant to the administration of the licensed handgun law, an individual is thoroughly investigated before a license will be issued. It is reasonable to assume that an individual who holds a handgun license is a law abiding citizen and does not pose a threat simply because he/she forgets to advise a policeman when stopped on a traffic violation.

It is the position of the District Attorney's office that the intent of the above legislation was to prevent confrontations between citizens and police officers and that prosecution of a handgun license holder for failure to so advise under normal circumstances would serve no purpose.

It shall be the policy of this department that custody arrests and seizure of weapons and licenses for an individual's failure to present the license as outlined in the above section will be made only under circumstances that would tend to remove the individual from the "Law abiding citizen category" including but not limited to, becoming combative or threatening, an attempt to keep secret the possession of a type weapon not authorized by the license or an attempt to avoid discovery of possession by another occupant of the vehicle of a handgun while not being licensed.

If it becomes necessary to file a case against a concealed handgun license holder for violation of the above listed section, and circumstances do not exist to justify a custody arrest, officers of the Fort Bend County Sheriff's Department shall obtain sufficient information to complete a criminal case report which will follow normal case report procedures. Each case will be presented to the District Attorney for decision as to prosecution. Under these circumstances officers will not seize the license or the handgun at the time of the initial contact with the license holder.

In most cases this section of law can best be administered by reminding the license holder of the notification requirements and admonish him/her to comply in the future.

Nothing in this policy is to be construed as to negate the necessity of officers to follow up with required administrative notification procedures relative to an arrest under existing licensed handgun regulations.



DISTRICT ATTORNEY'S OFFICE
Fort Bend County, Texas

JOHN F. HEALEY, JR.
District Attorney

(281) 341-4460
Fax (281) 341-4440

TO: Sheriff Milton Wright, Fort Bend County Sheriff's Department
All Officers, Fort Bend County Sheriff's Department

FROM: John Healey JFH

SUBJECT: Concealed Handgun License

DATE: October 20, 1997

In conjunction with our conversation on October 17, 1997, in the enforcement of Revised Civil Statute Article 4413(29ee)§6h wherein it is a per se offense to fail to display a concealed handgun license when a magistrate or peace officer requests a handgun license holder's identification, common sense and the officer's discretion when arresting for violations of this law should be stressed.

If in the officer's opinion, the failure to present the concealed handgun license was occasioned by inadvertence, and if after the omission is brought to the attention of the licensee, the licensee willingly produces a proper handgun license, it is suggested that an arrest not be made and that a verbal or written warning issue to the licensee, absent the existence of other factors which coupled with the technical violation of law previously mentioned would cause a reasonable officer to arrest the violator under Article 4413 (29ee)§6h.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 11

SUBJECT: Use of Force

GENERAL POLICY: Commissioned members of the Fort Bend County Sheriff's Office will familiarize themselves with and be guided by, the provisions of the Texas Penal Code concerning the Use of Force.

Attention is directed to the following sections:

- PC 9.21 Public Duty
- PC 9.22 Necessity
- PC 9.31 Self Defense
- PC 9.32 Deadly Force in Defense of Person
- PC 9.33 Defense of Third Person
- PC 9.34 Protection of Life or Health
- PC 9.42 Deadly Force to Protect Property
- PC 9.43 Protection of Third Person's Property
- PC 9.51 Arrest and Search
- PC 9.52 Prevention of Escape from Custody

In every situation, no more force shall be used than is necessary under the circumstances.

Officers will be guided in the use of Non-Lethal Weapons in accordance with Appendix 1 (Police Batons), Appendix 2 (Oleoresin Capsicum) and Appendix 3 (Other Non-Lethal Devices).

The absence of provisions for a specific type of non-lethal weapon shall prohibit use of the same.

TENNESSEE V. GARNER
471 U.S.1 (1985)

ISSUE: Is the use of deadly force to prevent the escape of an individual suspected of a non-violent felony constitutional?

NO

SUPREME COURT DECISION: Deadly force may not be used unless it is necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.

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FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 12

SUBJECT: Policy Governing Firearms, their Use and the use of Deadly Force

- I. **PURPOSE:** This directive prescribes the policy that will be observed by all personnel, of the Fort Bend County Sheriff's Office and its Reserve Force regarding firearms and their use.
- II. **POLICY:** No Employee of the Department shall, under any circumstances, carry a firearm, either on duty or off duty, until familiar with this order and the Department General Order dealing with the use of Force, and unless authorized by law. It is the policy of this Department that deadly force will be used only when justified by the then current provisions of Chapter 9, Texas Penal Code or revisions thereof.
 - A. Firearms: Discharge during the performance on duty and/or off duty. (All requirements and provisions of this order shall apply to the carrying of handguns and ammunition while off duty as well as on duty.)
 1. "Warning Shots": Under no circumstances may an employee of this Department discharge warning shots.
 2. Procedure to follow after instances of weapon discharge: On every occasion wherein an employee of this Department discharges a weapon the Communications division will immediately be notified. In addition, complete written reports regarding all factors surrounding the incident will be submitted to the Division Commander of the concerned individual prior to the end of the tour of duty during which the incident occurred by all personnel involved, witnessing or having pertinent information regarding the incident.
 3. Communications: Upon notification of Deputy – involved shooting incident:
 - a. Determine whether injury or non-injury.
 - b. Notify immediate supervisor and Division Commander of Deputy involved.
 4. Supervisor: Upon notification of the Deputy – involved shooting incident, determine whether non-injury or injury.
 - a. Non-injury incident. Make on scene investigation, review reports, make determination of sufficiency of investigation regarding property damage, justification of usage of weapon and safety procedures. Make recommendations regarding any deficiency in above and submit to the Division Commander.
 - b. Injury. Follow routine procedures for major crime scene, i.e., provide care for injuries, preserve crime scene, separate witnesses, etc.
 5. Internal Affairs: Upon notification of a Deputy – involved shooting incident involving injury, the Sheriff or Chief Deputy will make a determination of manpower requirements and assign same, and notify the Office of the District Attorney. The investigative team, under the direction of the Supervisor, will thereafter make a thorough investigation of all factors related to the incident. A complete report of the incident will be forwarded to the Deputy's Division Commander who will in turn forward same to the Chief Deputy.
 - B. Discharge of Weapon in Other Jurisdiction: Incidents arising out of "hot pursuit" cases and in cases where the Department acted alone, primary responsibility for investigation of Deputy – involved shooting cases rests with the agency in whose jurisdiction the incident occurs. In cases in which some other agency has jurisdiction, (such as Deputy assisting with a robbery case in the City

of Houston), whether the Deputy is "on duty" or "off duty", the following procedures will be followed.

1. Non-injury cases: The Deputy involved will request a copy of reports of the incident be sent to his/her immediate supervisor for evaluation as in Section 11.A.2 of this General Order.
2. Injury cases.
 - a. The Deputy involved will be responsible for seeing that the Communications Division is advised of the incident as soon as possible.
 - b. The Communications Division will notify the Criminal Investigation Division Supervisor and the Division Commander of the Deputy involved, as set forth in Section II.A.3 of this General Order.
 - c. The Criminal Investigation Division Supervisor will contact the Deputy involved and the senior officer (of the other agency) in charge of the investigation as soon as possible. The Criminal Investigation Division supervisor will submit a report of the Deputy's involvement in the incident, based upon a complete investigation, including interviews of the Deputy and anyone else involved in the incident. In that regard all personnel of this Department will cooperate fully in any such investigation, whether by this Department or by another agency.

III. FIREARMS TRAINING POLICY: This section of the General Order outlines rules and procedures pertaining to firearms training, qualification, proficiency demonstration, and related matters. The conditions and requirements set forth in this section shall apply to all firearm weapons, regardless if the weapon is to be used on duty or off duty.

A. Handgun Qualification and Proficiency Demonstration.

1. Schedule: All sworn personnel shall demonstrate proficiency with their weapon on at least an annual basis. The annual qualification will be on the third Tuesday of each month. Officers will be required to attend the month that their birthday falls on. The manner of proficiency shall be designated by the Department and will be in compliance with the law. At least one of the scheduled sessions shall be discharged using live ammunition and shall be in compliance with current Texas Commission of Law Enforcement Officer Standards and Education. All Divisions of the Department will be notified in writing of the designated schedule for each proficiency session by the Firearms Proficiency Officer at least one month prior to the session date.
 - a. See attached Attachment #5.
2. Attendance: Licensed Deputies and Reserve Deputies are required to participate in scheduled firearms proficiency sessions. If excused, from a scheduled proficiency session, the Deputy must participate in a "make-up" session, as scheduled by the Firearms Proficiency Officer.
 - a. Any excuse not to attend a scheduled qualification must be approved by the appropriate Division Commander and the Firearms proficiency Officer prior to the qualification date.
 - b. It is the responsibility of the Firearms Proficiency Officer to schedule a "make up" qualification for any personnel who have an excused absence from a scheduled qualification. It shall be the Division Commander's responsibility to ensure that the Deputy attends this "make up" qualification.

- c. Any Deputy who does not demonstrate proficiency to the satisfaction of the Firearms proficiency Officer shall be required to participate in scheduled remedial training. The type, course and schedule of this training shall be determined by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff.
 - d. The Deputy must demonstrate proficiency with his/her rifle or shotgun annually.
 3. Qualification Score: The qualification score, for those firearm sessions that require scoring, shall be set by the Department, in complete compliance with the standards as set by the Texas Commission on Law Enforcement Officer Standards and Education. This score will be published at the time that the qualification schedule is published.
 - a. Any Deputy who does not shoot a qualifying score shall be immediately reported to his/her Division commander by the Firearms Proficiency Officer and thereafter scheduled for remedial training as set forth in Section III, A.2(c) above.
 - b. Failure of the Deputy to qualify at the scheduled remedial session may result in suspension without pay until the deputy demonstrates minimum standards of firearms proficiency in effect at that time.
 4. Type of Shooting Program: the course of fire, schedule, location, and overall program is to be developed by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. In addition to standard live fire, the Firearms Training System, F.A.T.S., or simulation may be utilized. In the event that Department personnel qualify with another agency, said agency must be approved by the Firearms Proficiency Officer prior to the qualification and all scores must be certified by the host agency's range master or Firearms Proficiency Officer.
 5. All sworn personnel of the department will have a separate firearms file which will contain a complete description of the weapon qualified with, along with a "PASS or FAIL" score. It is the duty of the Firearms Proficiency Officer to maintain these records. These records shall include, but not limited to, individual scoring sheets from any qualification session, computer readouts from the "F.A.T.S." System, and other printed material deemed important to the individual file by the Firearms Proficiency Officer.
 6. Range Clothing and Equipment: Range clothing and equipment for each firearms session shall be specified by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. Range clothing will be as follows: **RED SHIRTS** will be worn by the Firearms Instructors and Proficiency Officer **ONLY**. All others will wear a sleeve type shirt, pants with belt loops, belt and their duty rig, holster or purse as they carry their weapon on/off duty. No warm-up, draw-string type pants or shorts will be allowed on the Range unless specified by the Firearms Proficiency Officer.
 7. Ammunition: Only ammunition either supplied by the Department, or specified by the Firearms Proficiency Officer, in conjunction with the Department Staff, shall be used in any firearm qualification session or proficiency demonstration. Only ammunition so specified is approved for on duty, and off duty, use by sworn personnel of the Department. The Firearms Proficiency Officer shall be responsible for publishing a list of ammunition for each approved weapon. The list shall be updated from time to time by the Firearms Proficiency Officer in conjunction with the Department Staff and with the approval of the Sheriff. This ammunition restriction shall apply to every situation and duty status, including firearms qualification sessions.

8. Special Qualification Restrictions:

- a. All sworn personnel who choose to carry a Revolver with .357 magnum ammunition, either on-duty or off-duty, will shoot that ammunition in each stage of the qualification course. Failure to qualify with this ammunition will preclude their use of it in their handgun.
- b. Should the Department Armorer determine through weapons inspection that a primary handgun is unfit for service, the Deputy shall be prohibited from carrying such firearm until appropriate repairs have been made and the firearm has been reinspected and accepted as fit for service by the Department Armorer. Should the Deputy be unable to furnish a suitable firearm for qualification and interim duty use, the Department Armorer shall issue the Deputy an Academy handgun and holster for qualification. The Deputy, after qualifying with the handgun, shall carry the issued handgun until his/her primary handgun has been certified as fit for service by the Department Armorer. The Academy handgun should be returned within two weeks or as soon as the primary handgun is repaired. Should repairs necessitate more than a two week period, the Deputy shall inform the Department Armorer and obtain approval for continued use of the Academy handgun. The Deputy shall qualify with the repaired primary handgun prior to carrying it on or off duty.

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All personnel of the Department will comply with the range rules, as set forth in Attachment 2 of this General Order.

V. **RESERVE DEPUTIES:** The provisions of this General Order shall apply with the same force and effect to all members of the Fort Bend County Sheriff's Reserves. During those qualifications ammunition shall also be provided to Reserve Deputies.

VI. **RETIRED DEPUTIES:**

Reference Senate Bill No. 117 section 1701.357, enacted by the legislature of the State of Texas: WEAPONS PROFICIENCY FOR CERTAIN RETIRED PEACE OFFICERS AND FEDERAL CRIMINAL INVESTIGATORS. The Sheriff may allow an honorably retired peace officer from the Fort Bend County Sheriff's Office or a Federal Criminal Investigator, to demonstrate weapons proficiency if the retired officer provides to the agency a sworn affidavit stating that:

- A. The officer honorably retired after not less than 20 years of service as a commissioned officer.
- B. The officer's license as a commissioned officer was not revoked or suspended for any period during the officer's term of service as a commissioned officer.
- C. The officer has no psychological or physical disability that would interfere with the officer's proper handling of a handgun.

The Fort Bend County Sheriff's Office shall issue the certificate to a retired officer who satisfactorily demonstrates weapons proficiency under the agencies firearms policies.

The Fort Bend County Sheriff's Office shall maintain records of any retired officers who hold a certificate issued under this policy.

A certificate issued under this section expires on the second anniversary of the date the certificate was issued.

The Sheriff may allow an honorable retired federal criminal investigator to demonstrate weapons proficiency in the same manner as, an honorably retired peace officer described above. The Fort Bend County Sheriff's Office shall maintain records and issue a certificate of proficiency to an honorable retired federal criminal investigator who meets the requirements of this section.

An honorably retired peace officer or federal criminal investigator who holds a certificate of proficiency issued under Section 1701.357, Occupations Code, and is carrying a photo identification that: Verifies that the officer honorably retired after not less than 20 years of service as a commissioned officer and is issued by the agency from which the peace officer retired or, for a federal criminal investigator.

VI. Any variance to this policy must be approved by the Sheriff.

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ATTACHMENT 2

RANGE RULES

I. **DEFINITION AND AUTHORITY:** Where herein used, the term "Range Officer" shall apply to personnel in charge of the range operation of the firearms session. These individuals shall be identified to personnel participating in firearm sessions by the Firearms Proficiency Officer or other appropriate Department Staff.

- A. The Range Officer(s) shall have sole authority in all range operations. All range rules shall be enforced by the Range Officer(s), who have authority to remove anyone from the range for violation of safety rules, horseplay, or other conduct which would adversely effect the session. All such violations will result in removal from the range and a written incident report to the appropriate Division Commander.
- B. Any incident described in A above shall be reported in writing to the firearms Proficiency Officer and the appropriate Division Commander by the Range Officer involved.

II. **SAFETY:**

- A. All weapons to be used in any firearms session will be inspected by a Range officer prior to their use and he/she shall have absolute authority regarding the use of that weapon.
- B. Unless specifically ordered otherwise by the Range Officer, all weapons must be unloaded and holstered at all times. No dry firing, practice loading or other type of exercise shall take place without proper command to do so.
- C. Weapons will be loaded only upon command to do so. When loaded, personnel are not to touch the trigger of the weapon or place his/her finger inside the trigger guard, until ready to fire and the command to do so is given.
- D. All weapons must be pointed down range at all times. Firing will take place only on command.
- E. In the event of any malfunction of any weapon, clear the malfunction and continue to fire if safe to do so. Any weapon which is dropped or subjected to a severe blow must be inspected by a Range Officer prior to its continued use.
- F. All weapons must be cleared of live ammunition and/or empty brass prior to leaving the firing line.
- G. Hearing and eye protectors will be provided and their use is MANDATORY.

III. **RANGE PROCEDURES:**

- A. There will be NO SMOKING on the firing line. Only those firing or coaching will be permitted on the firing line. Spectators will not be permitted at firearms sessions without proper authorization.
- B. All exercises at the range shall be at the direction of the Range Officer. No one will go down range, handle weapons and/or ammunition or discharge any other session activity without proper authorization.

ATTACHMENT 3

FORT BEND COUNTY SHERIFF'S OFFICE
AUTHORIZATION TO CARRY OFF DUTY WEAPON

THE FOLLOWING WEAPON IS TO BE CARRIED BY ME IN AN "OFF DUTY" CAPACITY AND HAS NOT BEEN AUTHORIZED FOR "ON DUTY" SERVICE.

DEPUTY: _____

MANUFACTURER: _____

CALIBER: _____

SERIAL NUMBER: _____

DATE OF REQUEST FOR APPROVAL: _____

FIREARM INSTRUCTOR

APPROVED _____

DATE: _____ DISAPPROVED _____

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Attachment 5

New Sworn Personnel shall qualify with their duty and off duty weapon on the next immediate qualification date from their date of hire.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 14

SUBJECT: Technology Policy

Overview

This General Order sets forth the Fort Bend County Sheriff's Office (FBCSO) policy with regard to the use of technology in the work environment, which includes but is not limited to computer workstations, laptop computers, mobile data terminals, electronic mail, Tiburon and the FBCSO connection(s) to the Internet and any other information/technology services. This policy also includes the FBCSO requirements with respect to the confidentiality of information, security of systems and the licensing of computer programs.

The guidelines in this document are applicable to employees and other agencies who make use of FBCSO technology.

Guidelines

A. Purpose and Ownership of Computer Systems and Software

The electronic mail system, the Internet and any other information/technology services, and the computer workstation (and if applicable, laptop computer) are provided by the FBCSO for your use as an Employee. These assets include PC hardware, hard disks, cd-roms and floppy diskettes (including the data that resides on them), application software, database files, electronic communication systems as well as the voicemail phone-message system. The FBCSO provides these resources to enhance each Employee's job performance and productivity.

Employees should treat these systems and resources like shared filing systems - with the expectation that messages sent or received or information contained in the system (whether personal or business) will be available for review by any authorized representative of the FBCSO for any purpose deemed appropriate.

B. Electronic Mail

All messages sent or received via electronic mail are Fort Bend County records. As a matter of trust, the FBCSO does not currently actively monitor its equipment and/or communication systems other than for routine backup, storage or expense control reasons. Electronic communication and computer systems - and the messages or files they store - are NOT private property. They are Agency-owned assets and, as such, the FBCSO retains the right to monitor, copy, backup or delete them as part of its normal business practice. This includes the right to access, disclose or delete all messages sent over its electronic mail system for any appropriate purpose, including but not limited to, determining whether there have been any breaches of security, violations of Agency policy, or defalcations of duty on the part of the Employee.

The FBCSO may also disclose for any purpose the contents of electronic mail messages sent to or received by FBCSO Employees, and the FBCSO may use information regarding the content, number, sender, recipient and addresses of messages sent over the electronic mail system for any purpose deemed appropriate.

FBCSO recognizes that some personal use is a natural occurrence in the work environment. Such use is acceptable provided that it is not extensive or detrimental to the Agency. However, as indicated above, Employees have no greater expectation of privacy in messages of a personal nature than with respect to other electronic messages or information.

It is a violation of the FBCSO policy for any Employee to use the electronic mail and computer systems for purposes of satisfying idle curiosity about the affairs of others, or otherwise without any legitimate and substantial business purpose.

C. Passwords and System Security

Security of the equipment, programs and resources is critical to the proper functioning of the FBCSO.

Only programs and equipment specifically approved by or installed by the **Support Services Division** are permitted. In order to protect the security of the system, Employees must maintain passwords to access the system, and your password is not to be shared with anyone, except to provide temporary access to a workstation for a short-term, emergency requirement. If a password is given to another associate for this purpose, the password should be promptly changed by the workstation owner following the resolution of the emergency

Any attempt by an Employee to breach the security of the system, by sharing passwords, using another Employee's password, trying to gain access to programs, directories, servers, databases or telephone lines to which the Employee has not been granted access by Support Services, the Sheriff or Chief Deputy, or other means of whatever nature or extent, will subject the Employee to disciplinary action up to and including termination.

Where an Employee has been provided a FBCSO-owned laptop computer for business purposes, the same rules provided above will apply. In addition, the Employee will be expected to execute a "Receipt for Hardware and Software", which will be kept on file by Support Services.

D. Licensing and Development of Computer Software

The FBCSO licenses the computer software it uses from a variety of affiliated and unaffiliated companies. The FBCSO does not own this software but purchases such licenses in order to be able to use the software. ***Any unauthorized reproduction or copying of such software, whether for business or personal use, is prohibited.*** All software may be used only in accordance with the terms of the license agreement. If you are unsure if an action may violate such a license agreement, request authorization from your site administrator before proceeding. Misuse of software, equipment or resources will subject the Employee to disciplinary action up to and including termination.

To comply with the standard requirements of most commercial software applications, you must comply with the following:

All software purchases must be requested through the Support Services Division. Introducing unauthorized software or utilities on FBCSO systems, adding software that is personally purchased or developed for non-FBCSO business to the FBCSO storage devices, or executing this software on FBCSO computers is a violation of this policy. *(This includes screen savers and background wallpaper)*

Software may be installed only on a single computer. You may not make additional copies for other machines. (NOTE: Some vendors allow for a second copy at home or for a laptop provided that you are the primary user of the license. Check your agreement to see if this provision applies to you.)

It is illegal to make copies of any software installed on the network or on your individual workstation to share with someone else (even if it is someone is at the FBCSO) or for use at home.

The FBCSO does not want software from outside the office to be installed on your Agency workstation, whether at the office or at home or on your laptop. Since a license only permits installation on one computer, it is illegal for you to install it on a PC for which it was not purchased. Such action would subject both you and the FBCSO to serious legal penalties. **FBCSO strictly prohibits installation or use of illegal copies of software on its assets.**

E. Internet Specific Requirements

All software downloaded from the Internet must be screened by the *Support Services Division* in order to detect any viruses. Such software is to be tested on a stand-alone computer to prevent a virus from infecting a FBCSO system.

All information from the Internet should be considered suspect until confirmed by separate information from another source. There is no quality control on the Internet and certain information on the Internet is outdated or inaccurate. Employees must not place any FBCSO information on the Internet.

The FBCSO reserves the right to review *all directories* on all FBCSO computers.

F. Accountability

An Employee in possession of Agency Hardware and Software Computer equipment will maintain such equipment in serviceable and good operating condition.

It is the Supervisors responsibility to ensure that all Agency owned equipment in an Employee's possession is returned to the Agency in good working order upon the Agency's request or upon termination of the Employee. The Supervisor should work directly to determine what equipment is an Employee's possession and how to facilitate its return to the Agency.

All Employees further acknowledge that failure to uphold all or any portion of this Policy may result in disciplinary action up to and including termination. In addition, given the need to access files and messages, the FBCSO will not be liable or in any way responsible for any inadvertent, accidental or necessary retrieval, release or review of personal information residing in the equipment or property of the FBCSO.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 15

SUBJECT: Vehicle Inventory Procedures

- I. **PURPOSE:** To establish clear cut procedures for personnel to follow in conducting vehicle inventories based on most recent court decisions that weigh heavily on a departments guidelines for inventory of vehicles supported by the need to protect the owner's property, protect the police from claims of loss, stolen, or vandalized property, and to protect the police from potential danger.

REFERENCE CASES:

Autran vs. State
Rothenberg vs. State

- II. **POLICY:** It shall be the standard operating procedure for the Fort Bend County Sheriff's Office that when the need for storage of a vehicle is required, the Deputy that is responsible for having the vehicle stored shall cause an inventory of the vehicle to be conducted. This inventory shall include but not be limited to the interior of the vehicle and the trunk or bed of the vehicle.

When probable cause becomes evident during the course of an inventory that containers in the vehicle contain contraband they shall be searched, or when it is believed that containers in the vehicle contain personal items of value, they shall be searched.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER: 16

SUBJECT: New Employee Application, Testing, and Selection Process

- I. **PURPOSE:** To establish guidelines and procedures for filling job vacancies at the Fort Bend County Sheriff's Office.
- II. **POLICY:** The Fort Bend County Sheriff's Office is an equal opportunity employer. The guidelines and procedures set forth in this general order are intended to ensure that the department's selection criteria are valid, useful, and non-discriminatory. It shall be the policy of the Fort Bend County Sheriff's Office to offer employment only to those persons who have met the minimum qualifications for the position applied for as well as all federal, state, and local regulations where applicable. This policy is not intended to usurp the Sheriff's constitutional authority regarding this or any other issue related to employment. In the interest of the efficient operation of the Office of Sheriff, the Sheriff may elect to exercise his employment authority as deemed necessary.

Responsibility for the overall administration of the personnel process shall rest with the Personnel and Training Division Commander and the department's Personnel Coordinator. Specific division and individual responsibilities are set forth in the following procedures.

- III. **PROCEDURES:**
 - A. **OPENINGS** - When a need arises to fill either anticipated or existing vacancies, the Division Commander of the concerned division shall prepare a memorandum to the Chief Deputy requesting a posting of the job vacancy. The Chief Deputy shall review the request to make sure that the vacancy is not affected by other anticipated personnel moves. If approved, the Chief Deputy shall forward the request to the Personnel Coordinator along with instructions for "posting" of the vacancy.
 - B. **POSTING** - The posting of the job vacancy shall commence the following business day or as soon as practical thereafter. A posting means that notice shall appear at the Courthouse Human Resources Department, on the job line by voice mail announcement, and posting the notice on department bulletin boards. Department personnel are encouraged to recruit qualified applicants during this period and refer prospective applicants to the Personnel Division. Advertising will be done only when ordinary postings do not generate an adequate number of applications for the position(s) to be filled.
 - C. **PRELIMINARY APPLICATIONS** - may be obtained from the Academy-Personnel Office or at the Fort Bend County Human Resources Department during the posting period only. The preliminary application must be returned to the Academy building Personnel Coordinator's Office prior to 3:00 PM on the last day of the posting period. No application will be accepted for consideration after the posting period closes.
 - D. **TESTING** - Applicants returning a completed preliminary application within the specified period will be scheduled for a reading comprehension and vocabulary skills (Nelson-Denny) test and a typing test (if applicable). Tests will be administered by the Personnel Coordinator or a designate. Testing will be conducted at the Gus George Academy at the date and time designated by the Personnel Coordinator. Any special testing sessions shall be done at the discretion of the Personnel Coordinator and only when

special circumstances dictate. Testing will usually be concluded within (5) working days after the closing. Minimum scores for typing test are set forth in the job descriptions at posting. Minimum scores for reading comprehension and vocabulary skills will generally be equivalent to a 12th Grade level of education.

- E. **PERSONAL HISTORY STATEMENT** (PHS or "Long application") – Applicants completing entry level tests with satisfactory scores will be given the Personal History Statement (PHS) along with instructions for completion and return. A deadline for returning the (PHS) will be established by the Personnel Coordinator, usually within 7 - 14 days. The (PHS) will be returned to and accepted by the Gus George Academy only. Applications not received by the Academy Staff before the deadline will not be accepted. Incomplete applications (those lacking requested information or documents) will not be eligible for consideration. Applicants will be given opportunities to correct minor omissions or deficiencies.
- F. **ELIGIBLE APPLICANT LIST** - The Personnel Coordinator will prepare a list of applicants who have passed entry level testing and returned all required documents. The list will be forwarded to the concerned Division/Bureau Commander as soon as practical after the (PHS) return deadline.
- G. **APPLICANT REVIEW BOARD** – The Chief Deputy shall appoint the members of the stated board. The board shall be impaneled for a period of at least six (6) months. The individuals assigned to the board should reflect the diversity of the office. The board chairman shall be of the rank of Captain. In the event that a Captain is not available, the Chief Deputy shall appoint any supervisor as the chairman; regardless of rank. The Personnel Coordinator should be present during board activities. The role of the Personnel Coordinator will be to assist the chairman with facilitating the activities of the board, document the activities, provide applicant files, and ensure compliance with E.E.O.C. principles.
- H. **REVIEW BOARD ROLE AND RESPONSIBILITY** - The Board shall conduct assessment activities as specified by the Board Chairman. The Board shall vote to continue processing an applicant's file and rate the applicant's suitability or reject the applicant from any further consideration. The Board Chairman shall take the board's findings and compile a list of suitable applicants along with an order of preference. The list and order of preference shall be submitted to the Chief Deputy for review. The Chief Deputy will then authorize an appropriate number of background investigations to commence.
- I. **BACKGROUND INVESTIGATION** - The Personnel and Training Division shall supervise the conduct of background investigation reports. The purpose of the background investigation is to verify the applicant's qualifying credentials and suitability for employment before a conditional job offer is made.
- J. **FINAL REVIEW** - Once a background investigation report is completed and deemed satisfactory, the applicant file along with the background report will be forwarded to the Division Commander and/or Chief Deputy for final review. The Chief Deputy will then authorize the Personnel Coordinator to begin scheduling medical and psychological testing.
- K. **CONDITIONAL JOB OFFER** - When satisfactory test results are received, the Personnel Coordinator shall prepare a memorandum to the Chief Deputy detailing an available slot number, a salary range based on qualifications, and a recommended start date. The Division Commander and/or Chief Deputy shall schedule the applicant for a final interview and conditional job offer with the Sheriff.

FORT BEND COUNTY SHERIFF'S DEPARTMENT

GENERAL ORDER 17

SUBJECT: Probation and Probationary Status

- I. **PURPOSE:** To define probationary status as it relates to entry level employees, newly promoted or transferred employees, and as part of the department's disciplinary process.
- II. **DEFINITION:** Probationary period or status is generally considered to be a latter phase of the department's selection process represented by some form of conditional employment. The conditions of continued employment may be varied depending on the reason for the probationary status. Probationary status is assigned to an employee when his ability to perform the duties of his position have not yet been demonstrated or when an employee's unsatisfactory performance or behavior requires corrective measures.
- III. **NEWLY HIRED EMPLOYEES**
 - A. Non-Sworn positions (civilian) - All newly hired employees shall be granted regular status only after completion of an 89 day probationary period in accordance with county policy. Failure to perform at a satisfactory level prior to completion of the 89 day period may be grounds for dismissal.
 - B. Sworn positions - All persons whether hired, promoted, or transferred to sworn positions shall be granted regular status only after completion of a 180 day probationary period. The granting of regular status is conditional on the sworn officer's ability to perform at a satisfactory level prior to completion of the 180 day probationary period.
- IV. **PROMOTED AND TRANSFERRED EMPLOYEES**
 - A. Promoted employees - Any promotion from a non-sworn position to a sworn position or a promotion to any supervisory position regardless of rank, shall carry a 180 day probationary period. Failure to perform at a satisfactory level prior to completion of the 180 day period may result in reduction in rank to former status, or dismissal.
 - B. Transferred employees
 1. Voluntary transfer - Any voluntary transfer from one position to another may carry a probationary period ranging from 89 days to 180 days, as deemed necessary by the Sheriff. Failure to perform at a satisfactory level at the completion of the period may result in return to the former position held by the employee or dismissal.
 2. Involuntary transfer - involuntary transfers for reasons other than disciplinary shall not carry a probationary period.
- V. **DISCIPLINARY PROBATION** - A probationary period not to exceed 365 days may be applied to any employee as a result of the department's disciplinary process. Conditions of return to regular status shall be outlined in writing and in accordance with the department's disciplinary procedures. Failure to meet the conditions outlined may result in dismissal.

VI. **EXTENSION OR WAIVER OF PROBATIONARY PERIOD** - The Sheriff may at any time deemed necessary waive the probationary status of an employee with the exception of the newly hired. Probationary status may be extended past the original period for any reason deemed necessary by the Sheriff. Extension of a probationary period may be deemed necessary for accommodation of remedial training or for additional disciplinary measures. Changes in the probationary status of any employee shall be made only by the Sheriff.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 18

SUBJECT: Policy Governing the Transfer of Employees Between Divisions.

- I. **PURPOSE:** to establish guidelines regulating the transfer of employees between divisions. Policies and procedures established herein pertain to the voluntary transfer of employees through a formal selection process in order to fill the existing job vacancy.
- This policy does not negate the authority and responsibility of the Sheriff to reassign employees and to make appointments as he deems necessary in the best interest of the department.
- II. **ELIGIBILITY:** an employee shall be deemed eligible for a voluntary inter division transfer only after meeting the following criterion.
- A. He/She must not be on disciplinary probation status of any type.
 - B. He/She must not be under suspension for any reason.
 - C. He/She must have at least a "Satisfactory" performance for their current position.
 - D. He/She must be able to demonstrate their qualifications for the position applied for.
- III. **PROCEDURES:**
- A. Applicants desiring to transfer to positions that are ordinarily filled through the promotional process will make application to compete in the promotional selection process. In those cases the provisions of this transfer policy will not apply.
 - B. Openings which are to be filled by the Department's formal transfer process shall be announced in writing by departmental memorandum. The announcement shall be posted throughout the department at least five (5) days prior to the commencement of the selection process. A deadline for transfer requests shall be established in the announcement. It shall be the responsibility of the division commander of the division with the vacancy to ensure required postings.
 - C. Employees desiring to transfer must submit a written request to the commander of the division for which the opening exists. The request shall be submitted to the employee's first line supervisor for processing through proper channels. The employee may send a copy of the request directly to the division commander with the vacancy.
- IV. **SELECTION PROCESS:**
- A. It will be the division commander's responsibility to determine a process for selection of employees to fill existing positions. In all cases the process of selection should be one of the following:
 - 1. Direct Appointment. (To be used only when the number of applicants corresponds with the number of vacancies and no eligibility list is to be established.)
 - 2. Written Test.

3. Interview Board.

4. Written Test and Interview Board.

B. When the Division Commander determines the process to be used he/she shall submit to the Chief Deputy for approval.

V. ELIGIBILITY LIST:

A. The Division Commander conducting the transfer selection process may establish an eligibility list for future use. When established, the list will be designated for a specific period of time, but will not exceed one year.

B. Utilization of the transfer list will adhere to the guidelines outlined in General Order #19 for promotional lists.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 19

SUBJECT: Policy Governing the Promotion of Employees

- I. **PURPOSE:** The purpose of this General Order is to establish policies and procedures regulating the promotion of personnel to the ranks of Deputy, Investigator, Sergeant and Communications Supervisor.
- II. **POLICY:** it shall be the policy of the Fort Bend County Sheriff's Department to select for promotion from a list of eligible applicants those persons who have successfully met the stringent requirements for promotion outlined herein.
- III. **DEFINITION:** A promotion means a change in duty assignment of an employee from a position in one classification to a position in another classification in a higher salary group requiring higher qualifications.

In certain instances employees selected through a promotional process may in fact be in the position of receiving a lateral transfer or a demotion. (Refer to IX-Lateral transfers)

IV. PROCEDURES:

- A. The Fort Bend County Sheriff's Department will conduct a promotional selection process so as to conclude in the month of May or each calendar year for the purpose of establishing an eligibility list of personnel qualified for promotion. Authority and responsibility for administering the promotional process shall rest with the appropriate Division Commander.
- B. Notification as to location, date and time for all elements of the promotional process shall be made available to all personnel through distribution or bulletin board posting.
- C. The following are the minimum prerequisites for participation in the promotional selection process.
 1. Applicant must presently be employed by the Fort Bend County Sheriff's Office except that at the discretion of the Sheriff, Applicants from outside the Department may be allowed to compete for the position of Deputy.
 2. Applicant must hold a basic certification as awarded by the Texas Commission on Law Enforcement Standards and Education.

Applicants in attendance at a basic peace officer academy and within thirty calendar days of the date of the interview board may be considered pursuant to successfully passing the basic peace officer examination.
 3. In addition to the preceding criteria, the applicant must also meet the basic qualifications as listed for the position with the Fort Bend County Department of Human Resources.

V. **PROCESS:**

A. Written Examination.

1. The written examination will consist of questions formulated to test the applicant in overall job knowledge. Questions may cover but not be limited to Criminal Law, Traffic Law, Law Enforcement Practices and Procedures, Civil Law as Applicable, Texas Jail Standards Rules, Departmental Policies and Procedures, Supervisory and Managerial Philosophies and Current Events.

Test construction shall be not less than fifty (50) nor more than two hundred (200) questions.

2. The written examination will be administered at the Gus George Law Enforcement Academy or other designated location.
3. Those applicants with a test score of 70% or greater will be eligible to continue in the promotional process. No scores will be posted until the Oral Board is completed.
4. Separate examinations will be administered for each position open for competition.
5. Applicants qualifying for and desiring to compete for more than one position must make a separate application for each.

B. Oral Examination.

1. Applicants who have qualified to continue in the promotional process will appear before an oral interview board appointed by the Chief Deputy. The Board shall be comprised of five (5) members representative of the makeup of the Department with the Division commander of the Division tested for, or his/her designee, serving as the Chair Person of the Board.
2. The Board members shall score each applicant individually based upon but not limited to the applicants attitude, loyalty, courtesy, communication skills, interest and enthusiasm, job knowledge, past performance and capability of assuming a greater level of responsibility.
3. The Interview Board will score by use of the Olympic scoring method. (The high and low score will be discarded and the remaining scores will be averaged.)

VI. **COMPUTATION OF PROMOTIONAL PROCESS SCORING.**

A. An eligibility list will be established on the basis of the following scoring.

1. Maximum of 200 points from written examination.
2. Maximum of 200 points from oral examination.
3. Maximum of 10 points for service time based on a combination of commissioned and non-commissioned time as outlined below.
 - a. One (1) point for each year of experience as a Certified Peace Officer not to exceed a total of 10 points.

Service as a Commissioned Peace Officer in another State or with a Federal Law Enforcement Agency may be allowed with the approval of the Sheriff.

- b. One half (1/2) point for each year of service with the Fort Bend County Sheriff's Office in a Non-Commissioned capacity not to exceed 3 points.
4. A maximum of 8 points for Education and T.C.L.E.O.S.E. Certifications.
- a. T.C.L.E.O.S.E. Intermediate Certification, 1 point.
 - b. T.C.L.E.O.S.E. Advanced Certification, 2 points.
 - c. T.C.L.E.O.S.E. Master Peace Officer Certification, 2 points.
 - d. T.C.L.E.O.S.E. Instructors Certification, 2 points.
 - e. Associate Degree, 2 points.
 - f. Bachelor's Degree, 3 points.
 - g. Master's Degree, 4 points.
 - h. Degree of any level greater than those previously listed, 5 points.
5. A maximum of 4 Veterans preference points based on one half (1/2) point for each full year of full time Military Service with the Armed Forces of the United States.
6. A maximum of 2 points for Active Time as a Reserve Deputy with the Fort Bend County Sheriff's Office based on one fourth (1/4) point for each full year of service.

For purposes of this allotment, Active Service applies to those individuals that have met the basic performance requirements as established for the Reserve program with regard to required working hours, meeting attendance, etc.

7. Total maximum score allowable for promotional competition.

Written Test	200 points
Oral Board	200 points
Service	10 points
Education/Certification	8 points
Veterans Preference	4 points
Reserve Service	<u>2 points</u>

TOTAL 424 points

VII. ELIGIBILITY LIST.

A. Ranking.

1. Applicants will be placed on the eligibility list in descending order based upon total score achieved through the promotional process.

2. In the event of ties in total composite scores, promotion will be determined by total tenure with the Fort Bend County Sheriff's Office.
- B. Expiration.
1. The eligibility list will be maintained on an annual basis and will expire at midnight one year from the effective date.
- C. Removal.
1. An applicant may be removed from the eligibility list through any of the following.
 - a. Promotion.
 - b. Declining a promotion. If an employee, for just cause declines a promotion he/she may remain on the eligibility list with the approval of the Sheriff. Depending upon the circumstances, the individual may drop to the next lower position or rotate to the end of the list.
 - c. Disciplinary action.
 - d. Resignation or Termination.
 - e. Voluntary request of the individual.
- D. Lack of Eligible Applicants.
1. In the event an eligibility list is completely exhausted and a vacancy occurs the Sheriff may authorize an interim promotional competition process and establish a new list for a designated period of time or may elect to make a direct appointment to fill the position.

VIII. PROMOTION:

- A. When the need occurs to fill a vacancy, selection will normally be made from the top applicant on the eligibility list.
- B. In any instance where it would serve the best interest of the Department the Sheriff will have the option of making direct appointments from any position on the eligibility list or from some other source.

IX. LATERAL TRANSFERS:

- A. A Lateral Transfer is defined as movement within the Department that does not change the employee's salary.
- B. An employee who wishes to apply for an existing opening that would constitute a Lateral Transfer, shall be required to compete for the position through the Promotional process if the position is one that is ordinarily filled through promotion (see III).

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 20

SUBJECT: Complaint Investigation and Disciplinary Procedures

- I. **PURPOSE:** to establish procedures for receiving and processing complaints against Sheriff's Officer personnel.

To establish a process for administering disciplinary measures for infractions of Departmental policies or illegal acts.

To establish an appeal process for Departmental Employees to be heard concerning disciplinary measures.

- II. **COMPLAINTS:** It is the policy of the Fort Bend County Sheriff's Office to courteously receive and to investigate complaints registered concerning the personal behavior or official acts of its employees.

A complaint is a formal written allegation(s) against a member of the Department, which could result in disciplinary action and which alleges one or more of the following:

- A. An infraction of Departmental rules, regulations or policies,
- B. An illegal act.

- III. **INVESTIGATION:** Complaints will be investigated to the degree necessary to establish all facts and circumstances relative to the allegations.

Complaints involving Departmental infractions only, will ordinarily be investigated by the Division Commander or his/her designee. If the Operations Captain, the Chief Deputy or the Sheriff deems it necessary, the complaint investigation may be assigned to an Investigator from a Division other than the Division of the employee complained on.

Complaints involving illegal acts greater than a Class C misdemeanor will be assigned by the Chief Deputy to a designated Investigator.

Complaints investigated within the Division of the employee complained against will be forwarded through channels with one of the following recommendations:

- A. Unfounded – the allegation is false, not factual.
- B. Exonerated – the incident occurred but was lawful and proper or was justified under existing conditions.
- C. Not Sustained – there is insufficient evidence to prove or disapprove the allegations.
- D. Sustained – the allegation is supported by sufficient evidence.

In those instances where the Sheriff determines the complaint to be sustained, he may implement one or more of the following Departmental actions:

- A. Discharge – an employee is discharged when removed from the payroll for just cause and a letter of resignation was either not submitted or not accepted by the Sheriff.
- B. Demotion – an employee is demoted when reduced from one County salary classification group to a lower group in County salary classification. For purposes of this General Order, such demotions will be for disciplinary measures.
- C. Time Off Without Pay – this action involves time off without pay in terms of working days.
- D. Probation – an employee disciplined by being assigned a period of disciplinary probation will be advised of the conditions and length of his/her probation and what will be expected in terms of performance.

The length of probation will be determined by the Chief Deputy.

- E. Formal Written Reprimand – a written document which details the infraction(s) for which the employee is disciplined and documents corrective measures to be taken by the employee to correct the deficiency.

Nothing in this General Order is to be construed as to prevent routine supervisory activities such as counseling sessions with employees to correct deficiencies, remedial training and corrective measures through job performance evaluations.

IV. APPEAL PROCEDURES: Employees desiring to appeal Departmental decisions of disciplinary actions may do so through two methods.

1. The employee may prepare a memorandum outlining his/her contentions and submit it to his immediate Supervisor requesting an in line review up to and including the Sheriff.

The employee will be given the opportunity to present additional information or evidence not available in the initial investigation. He/she may have an audience with each level of command, if so desired, and may halt the process at any level. He/she may also waive any level of command in the process.

2. An employee may request a hearing before a Grievance Board for any level of disciplinary action greater than a letter of reprimand. He/she shall make the request in writing submitted directly to the Chief Deputy with a copy to each command level.

The Chief Deputy will consider the request and if approved, will assemble a Grievance Board as outlined in General Order 21 with the following modification.

- A. The Chief Deputy will select one Board Member.
- B. The Employee will select one Board Member.
- C. The two Employees selected will select the third Member of the Board. In the event the two Board Members cannot agree on the third Member, a third Member will be appointed by the Chief Deputy.

The Chief Deputy will set a date for the Grievance to be heard and shall preside over the proceedings.

Upon conclusion of the Grievance process, the Board will make a recommendation as to the action to be taken and the Chief Deputy will present the recommendation to the sheriff for final decision.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 21

SUBJECT: Grievance Procedures

- I. **PURPOSE:** to establish procedures for members of the Fort Bend County Sheriff's Office in order that their grievances may be resolved expeditiously in a fair and just manner.
- II. **POLICY:** Members of the Fort Bend County Sheriff's Office will always have the right to have their grievances heard and are encouraged to resolve grievances through informal contact with personnel involved and with their immediate Supervisor short of implementing a formal process whenever possible.

III. **DEFINITIONS:**

Grievance A job related complaint concerning a condition of employment or a decision affecting an Employee, which is felt to be unjust or inequitable.

Formal Grievance A grievance as described above which is in written form and acknowledged by the Chief Deputy.

IV. **PROCEDURES:**

- A. Any employee who has a job related grievance that cannot be resolved between the individuals involved should take the matter up with his/her immediate Supervisor in an attempt to resolve the matter short of the formal grievance process.

If the grievance concerns the immediate Supervisor and a solution cannot be obtained, the employee may then take the matter to the next Supervisor in the chain of command.
- B. If a grievance cannot be resolved within the first two levels of the chain of command, the employee may then file a formal grievance according to procedures as outlined in Section C.
- C. A formal grievance shall be submitted in writing to the Chief Deputy. The formal grievance must contain the following information:
 - 1. A description of the grievance and the facts upon which it is based.
 - 2. A list of witnesses with information relative to the issue.
 - 3. A statement of the remedy or adjustment sought.
- D. The Chief Deputy shall be responsible for coordinating the Department's formal grievance process. He will review the facts and circumstances of the matter at hand and either render a decision or appoint an investigator to obtain further information if needed.

If in the opinion of the Chief Deputy, the grievance is complex and can best be resolved by an independent body, he may appoint a Grievance Board consisting of three employees who will function as outlined in Section III.

- V. **GRIEVANCE BOARD:** The Grievance Board will assemble at the direction of the Chief Deputy and will be responsible to review all facts and circumstances of the grievance. The board may summon any employee to appear before them to offer information relative to the issue at hand.

Upon conclusion of their deliberation the Board shall present their recommendation to the Chief Deputy. This recommendation may be accepted in whole or in part by the Chief Deputy in rendering a decision.

- VI. **EMPLOYEE REPRESENTATION:** an employee exercising his right to grievance will be granted self representation. (There are no provisions for representation by an attorney or other person.) The employee shall be entitled to personal appearance before the Grievance Board.
- VII. **CONCLUSION:** The Chief Deputy will render a decision based on his own findings or upon the findings of a Grievance Board. He will then render written notification to the employee with the Grievance as to the final decision.
- VIII. **APPEAL:** The employee with the grievance may appeal the decision of the Chief Deputy to the Sheriff within seven (7) calendar days of the date of the written notification.

The decision of the Sheriff in the grievance matter will be final as to the Fort Bend County Sheriff's Office position on the matter.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 22

SUBJECT: Sexual Harassment/Discrimination

- I. **POLICY:** The Department's policy is to provide a professional businesslike work environment free from all forms of employee discrimination including incidents of Sexual Harassment. No employee shall be subjected to unsolicited and unwelcome sexual overtures or verbal or physical conduct of a sexual nature. Sexual harassment will be treated as misconduct with appropriate disciplinary sanctions.
- II. **PURPOSE:** Under Title VII of the Civil Rights Act of 1964, and similar state statutes, sexual harassment in the workplace constitutes unlawful employment discrimination which may give rise to liability against both the employer and harasser whether the harasser is a supervisory level employee or co-employee of the complainant. The purpose of this order is to define sexual harassment, establish department policy concerning allegations of sexual harassment and establish reporting procedures.
- III. **DEFINITIONS:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
 - A. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - B. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 - C. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance creating an intimidating, hostile or offensive working environment.
 - D. Each supervisor has the responsibility to assist any employee in this agency, who comes to that supervisor with a complaint of harassment, pending investigation.
 - E. Each employee of this agency is responsible for assisting in the prevention or harassment through the following acts:
 1. Refraining from participating in, or encouragement of, actions that could be perceived as harassment;
 2. Reporting acts of sexual harassment to a supervisor.
- IV. **PROCEDURES.**
 - A. Any employee who believes that he/she is being harassed, shall report the incident(s) to his/her supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigation and disciplinary measures may be initiated. Where it is not practical to report the incident(s) to the immediate supervisor such as when the supervisor is unavailable or where the allegation of misconduct involves the supervisor, the employee may instead report the incident(s) to another supervisor, or the Chief Deputy of the agency. If the allegation involves the Chief Deputy, the complaint should present the allegation without delay to the Sheriff.
 - B. Any complaint of sexual harassment will be promptly and thoroughly investigated by the Sheriff, Chief Deputy or the designated internal investigation authority to verify whether a violation of law and department policy has occurred. When the allegations are

verified, prompt and appropriate corrective action and disciplinary measures, up to and including dismissal, will be implemented.

- C. The Chief Deputy (or Sheriff, if applicable) shall inform the parties involved of the outcome of the investigation.
- D. By way of illustration only, some examples of conduct which could constitute sexual harassment in the workplace under certain circumstances would include but not necessarily be limited to the following:
 - 1. Sexual comments, attempts at humor or innuendoes of a provocative or suggestive nature;
 - 2. Leaving sexually explicit books, magazines, or photographs in the work place;
 - 3. Unwelcome demeaning comments, ridicule, offensive language, propositions or other similar actions;
 - 4. Unwanted, unwarranted, unsolicited off-duty telephone calls and/or contact;
 - 5. Hiring or promoting an employee in exchange for sexual favors or transferring, demoting, or dismissing employees who refuse such sexual advances.

V. EMPLOYEE'S RESPONSIBILITY.

- A. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
 - 1. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
 - 2. Counseling all employees in the types of behavior prohibited, and the agency procedures for reporting and resolving complaints of harassment;
 - 3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether the involved employees are within his/her line of supervision; and
 - 4. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment pending investigation.
- B. An employee reporting an incident of sexual harassment or assisting, testifying or participating in the investigation of such a complaint shall not be subject to any adverse employment action unless it is determined that the employee made the allegation knowing it was false.
- C. Complaints or employees accused of harassment may file a grievance/appeal in accordance with the agency procedures when they disagree with the investigation or the disposition of a harassment claim.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 26

SUBJECT: Policy Governing Emergency and Pursuit Operations

I. **PURPOSE:** the nature of the Law Enforcement Task occasionally require emergency response to calls for service and the apprehension of law violators. Operating vehicles in the emergency mode increases the risk of accidents to both the public and the officers. It is imperative that utmost caution be exercised in emergency operations. This policy also refers to the normal use, responding to routine calls for service, responding to potential life threatening situations and life threatening situations in order to help insure the safe operation of the vehicle.

II. **GENERAL PROVISIONS:**

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B. In all cases of emergency vehicle operations, the legal requirement of law applicable to emergency vehicles will be strictly complied with.

552.108

E. When responding to a call the Deputy must always give consideration to existing traffic conditions, the terrain and the condition of the roadway. The mission to arrive at the scene cannot be accomplished if the Officer is involved in a collision.

F. When operating an authorized emergency vehicle in emergency mode, operators shall refrain from using cellular phones in order to help insure safe operations of the vehicle.

552.108

H. It shall be the responsibility of the Supervisor to ensure the Deputy utilizes the proper response to a dispatched call for service.

I. It shall be the responsibility of the primary responding Deputy or Supervisor, upon arrival on a scene, to advise Dispatch of the situation and request additional Deputies, downgrade responding Deputies or disregard responding Deputies.

III. **DEFINITIONS:**

The following definitions are to offer a guide as to the operation of emergency vehicles under different circumstances.

Authorized Emergency Vehicle – A Sheriff's Office owned or leased vehicle that is fully marked or unmarked and equipped with emergency lights and siren.

Normal Use – Normal driving where there is not a response to a particular call or event.

Routine Calls – Normal calls for service where the crime has already occurred and there is no risk of danger to human life that is apparent. The following are examples, but are not limited to:

1. Alarms (suspects have not been reported to be on location)
2. Routine Report Calls (the offense or event has already occurred and suspect is not on location).
3. Minor Accidents (no injuries).
4. Misdemeanor Property Crimes (already occurred or in progress).
5. Verbal Disturbance.

Potential Life Threatening – Event where there is a potential of injury or death, but it is not readily apparent before or during the response. An event where non-life threatening injury has occurred. The following are examples, but not limited to:

1. Backing up another Deputy on a traffic stop under normal circumstances.
2. Major accidents.
3. Felony property crimes in progress (no victims on location).
4. Assaults (bodily injury only).

Life Threatening – Any event that is in progress or has occurred where it is apparent that there is an actual risk of severe injury or death to a person. The following are examples, but are not limited to:

1. Aggravated crimes in progress where there is an indication that weapons are involved or severe bodily injury or death has or may occur.
2. Officer assist (the Deputy is in an actual aggressive or life threatening situation).
3. Pursuit.

IV. POLICY


- A. It is the policy of the Fort Bend County Sheriff's Office that authorized emergency vehicles operate at the posted speed limit or with the normal flow of traffic while in normal use or responding to routine calls for service. Emergency lights and siren will not be used. This does not prohibit their use on traffic stops.

552.108

V. PURSUIT:

When in pursuit of a suspected violator, the Deputy must again give consideration to the traffic conditions, terrain and roadway conditions, weather conditions, nature of offense, is the pursuing Deputy alone or is another Deputy available as well as staying alert to the actions of the violator.

There are many times when it is not practicable to continue pursuit of a violator. The decision to abandon the pursuit lies primarily with the Officer involved. When in the judgment of the Officer, the mission of the Department can longer be served or when it becomes evident that



continued pursuit will bring unwarranted danger to the public or the Officer, he/she should abandon the pursuit.

It is important that Deputies know the area they work and to understand when conditions arise that clearly call for termination of a pursuit. For example: to chase a speeding vehicle into a school zone as school is turning students out of class, would be difficult to justify.

Supervisory personnel should monitor the pursuit and be ready to assist in decision making when necessary.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 27

SUBJECT: POLICY GOVERNING SOCIAL MEDIA/NETWORKING

- I. **PURPOSE:** Social networking and social media sites have become a part of mainstream society. This policy is designed to establish guidelines for employees of the Fort Bend County Sheriff's Office with respect to their use of these sites. The policy will further regulate the effect use of social networking and media has upon the reputation and perception of the Sheriff's Office.

It is essential for every employee of the Sheriff's Office to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the employees of the agency to carry out the law enforcement function. Therefore, any matter which brings individual employees or the Sheriff's Office into disrepute has the corresponding effect of reducing public confidence and trust in the Sheriff's Office, thus impeding our ability to work with and serve the public.

II. General Provisions

- A. Employees shall not use any form of social networking or social media, including Facebook, Twitter, MySpace, LinkedIn, Foursquare, blogs, or any other similarly developed format in any manner that may tarnish the reputation of the Fort Bend County Sheriff's Office.
- B. It is imperative that each employee realize their role as a representative of the Sheriff's Office, not only in their professional actions, but also in their personal online actions.
- C. Any online activity that has the effect of diminishing the public's trust in the Sheriff's Office hinders our ability to fulfill our mission statement.
- D. As an employee of the Sheriff's Office, you are held to a higher standard than the general public.
- E. Any online action that detracts from the mission of or tarnishes the reputation of the Sheriff's Office is a violation of this policy and the employee is subject to disciplinary action.

III. Definitions

- A. **Social Media:** online sources that allow people to communicate, share information, photographs, text, and other multimedia files via online or cellular network platforms.

- B. **Social Networking:** using internet mobile platforms such as Facebook, Twitter, MySpace and other similarly designed formats to communicate with others using the same platforms while also networking with other users based on similar interest, location, skills, interest, professions, etc.
- C. **Mobile Social Networking:** social networking using a mobile phone or other cellular device. Any further reference to social networking will apply to either platform.
- D. **Blog:** a series of entries, written either by one person or a group of people, in an online journal, usually posted chronologically like a diary.
- E. **Bloggng:** to read, write, or edit an online journal.
- F. **Post:** an item inserted into a blog or an entry to any type of computerized forum or bulletin board.
- G. **Forum:** an online discussion site
- H. **Comments:** responses to a blog, post, news article, social media entry or other social networking sources.
- I. **Avatar:** a computer user's representation of himself/herself, or an alter ego
- J. **Identity:** an online internet identity that a social networking user established. The identity can be a real name, an alias, a pseudonym or a creative description.
- K. **User name:** the name that a user provides during the registration process associated with a web site that will be displayed publicly on the web site.

IV. Rules and Regulations

- A. Employees are prohibited from using department computers or cell telephones for any unauthorized purpose, including social networking.
- B. Employees are prohibited from using any social networking platform while on duty, unless permission is granted for investigative or public information purposes.
- C. Unless granted explicit permission, employees of the Sheriff's Office are prohibited from posting any of the following to any social media, social network, news media page, or any other information exchange forums:
 1. Any text, photograph, audio, video or other multimedia file related to any current or past investigation of this department.
 2. Any text, photograph, audio, video, or other multimedia file related to any past or current action of this department, either in tribute or critique.

3. Logos, badges, seal, uniforms, vehicles, letterhead, or any item or symbol that is affiliated with the Sheriff's Office.
4. Any text, photograph, audio, video, or other multimedia file that is related to any occurrence within the Sheriff's Office.

D. Employees who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect in a negative manner upon the Sheriff's Office or its mission. The following rules shall apply:

1. Unless granted explicit permission by the Sheriff's Office, employees shall not identify themselves in any way, as an employee of this department.
2. Employees will be held responsible for the content that appears on their maintained social media or social network site and will be responsible to remove any posting or comment contributed by others that may identify them as an employee of the Sheriff's Office.
3. Employees will be held responsible for the content of their social media or social networking sites and will be obligated to remove any posting or material contributed by others that reflects negatively upon the Sheriff's Office.
4. Employees will be held responsible for the content that appears on their maintained social media or social network sites and will be obligated to remove any material contributed by others that reflects negatively upon the Sheriff's Office.
5. Sexually graphic or explicit material of any kind shall not be posted by the employee on any form of social media or social network site.
6. Sexually graphic or explicit material posted by others to the employee's site shall immediately be removed by the employee.
7. Weaponry owned by the Sheriff's Office shall not be displayed or referenced to in any multimedia format on social media or social networking sites.

8. Any text, photograph, audio, video or any other multimedia file included on a social media or social network site that infers, states opinion or otherwise expresses the employee's view on the public shall not be detrimental to the Sheriff's Office mission or in any way undermine the public's trust or confidence in the Sheriff's Office.
9. Any posting that detracts from the Sheriff's Office mission will be considered a direct violation of this policy.

- E. Unless serving as an explicitly permitted tool of public information or community outreach, no officer shall use their rank and/or title in any social media or social networking activity.
- F. Employees who are brought under administrative or internal investigation related to their performance, functionality or duties may be ordered to provide the Sheriff's Office or its designated investigator with access to the social media and social networking platforms in which they participate.
- G. Employees who are brought under administrative or internal investigation related to the operation of the Sheriff's Office operation, productivity, efficiency, morale, or reputation may be ordered to provide the Sheriff's Office or its designated investigator with access to the social media or social network platforms in which they participate.
- H. If requested, an employee shall submit an affidavit attesting to all the social media and social networking platforms in which they participate.
- I. Any candidate seeking employment with the Sheriff's Office shall complete an affidavit attesting to all social media and social networking platforms in which they participate or maintain. The candidate shall be required to provide the designated background investigator with access to the social networking platforms in which they participate or maintain.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 28

SUBJECT: Crime Scene Processing and Staff Notification

I. PURPOSE: to establish guidelines and procedures for the standard handling of crime scenes and staff notifications.

II. POLICY: to ensure that all crime scenes and staff notifications are handled in a standard manner that preserves all possible evidence and notifies staff that is required to be notified.

III. PROCEDURES:

A. First Patrol Unit on the scene:

1. Shall provide security and preserve the scene.
2. Direct responding units to support as needed.
3. Prepare preliminary offense report.

B. Detective called to scene:

1. Shall assume scene responsibility and authority from first unit.
2. Become familiar with details of scene and available data from first unit and identify and separate witnesses or suspects.
3. Assure scene integrity, call for additional assistance if needed and check on arrival of I.D. Unit.
4. Brief I. D. Unit on known details and continue crime scene perimeter investigation.

C. I.D. Unit called to scene:

1. Shall assume authority of and responsibility for crime scene processing.
2. Shall have unchallenged authority and responsibility concerning crime scene processing and release of the crime scene.
3. Prior to release of the crime scene, I.D. shall confer with the Detective and insure that all available evidence, photographs and testing has been done.

IV. STAFF NOTIFICATION:

A. Notification of Staff Officers and on call Supervisors regarding major crimes or incidents.

1. During normal business hours, 8:00 a.m. until 5:00 p.m., Monday thru Friday, the appropriate Bureau Lieutenant will be advised.
2. After normal business hours, Monday thru Friday, the Night Commander or the Duty Commander will be notified.

3. The Shift Supervisor or Patrol Sergeant will determine if the crime or incident involved requires Staff notification. Normally this would include incidents such as major crimes, homicides, serious injuries to employees or incidents that would have some major impact on the Sheriff's Department.
4. The Public Information Officer shall be notified by the on scene Patrol Supervisor in after hour incidents that are or maybe of media interest.

B. Unattended Deaths:

1. In the event of an unattended death reported to the Sheriff's Office, the Detective Division shall be notified during normal duty hours. If the death is reported after normal duty hours, the on call Detective Sergeant shall be notified.
2. If the Justice of the Peace refuses to order an autopsy upon the recommendation of the Detective in charge of the scene, the District Attorney will be called by the Detective, informed of the situation and requested to direct the autopsy thru the Justice of the Peace as provided for in the provisions of the Texas Code of Criminal Procedure, Article 49.10, (E), (3).

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 29

SUBJECT: Tactical Scene Operations

- I. **PURPOSE:** To establish policy and procedures governing the response to an offense or situation that requires a tactical response, and bring the situation to a peaceful end if possible.
- II. **POLICY:** The nature of the law enforcement task occasionally requires a tactical response to emergency calls. Tactical situations increase the risk of injury to Law Enforcement personnel, civilians, and property. In order to reduce the risks involved, deputies of the Fort Bend County Sheriff's Office shall always handle tactical situations in accordance with the Texas State Law and applicable Federal Laws. Their decisions and actions shall further be guided by provisions and conditions set forth in this general order.
- III. **DEFINITIONS:**
 - A. A Tactical situation is an offense which involves a suspect who has fled the scene of an offense, or a suspect who has escaped from custody, and who is believed to be confined to a specific geographical area.
 - B. A tactical situation may also be described as a situation where there is the presence of a bomb or explosive device, or a bomb threat has been made.
 - C. A tactical situation may also be defined as a hostage and/or barricaded suspect offense. See General Order 30 for specific policies and procedures.
- IV. **PROCEDURE:**
 - A. **Communications:** Upon receiving information indicating an offense requiring a tactical response, communications will do the following:
 1. Direct district officers to respond to the call, giving all information available.
 2. Inform Patrol Sergeant of the situation.
 3. Inform the Detective Sergeant in charge of the injury squad, or the on call Detective Sergeant if the incident occurs after 5:00 PM or on a weekend or holiday.
 4. Alert E.M.S. and Fire Department to stage at a safe distance from the location of the offense.
 5. Inform Support Services Sergeant or Lieutenant.
 6. Designate a radio channel for tactical communications.
 7. Communications will also attempt to stay on the phone with the reportee and gain as much information as possible.
 8. If necessary, one of the primary channels may be temporarily shut down in order to comply with the manpower requirements of a tactical situation.

B. Responding Patrol Officers.

1. If informed that a bomb is being used as a deadly threat weapon, do not use radios within one mile of the scene.
2. Block off avenues of access or departure for the area involved.
3. Report all findings and activities to communications and the Patrol Sergeant.
4. The senior officer or ranking officer on the scene is in charge until a Patrol or Detective supervisor arrives.

C. Patrol Sergeant.

1. Travel to the scene of the offense and assume command of the scene.
2. Evaluate the validity of the situation. If the situation is determined to be an offense requiring a tactical response the Patrol Sergeant should have the following persons informed in this sequence:
 - a. Sheriff
 - b. Chief Deputy
 - c. Captain of Operations
 - d. Patrol Division Commander, Night Commander, Duty Commander
 - e. Detective Division Commander
 - f. Public Information officer
3. Establish a command post at a safe distance from the area involved.
4. Call out dog team if necessary.

D. Detective Sergeant on-call, or Injury Squad Sergeant.

1. After receiving primary information concerning an offense requiring a tactical response alert the following:
 - a. On-call detectives to respond to scene.
 - b. ID personnel to respond to scene.
2. Travel to the location of offense and assist the Patrol Sergeant in securing the scene.
3. Take charge of any subsequent or on scene investigation which evolves from the situation.

E. Support Services Lieutenant and or Sergeant.

1. Upon receiving information of a situation requiring a tactical response, the Support Services supervisor will:

Move the mobile command trailer to the involved area to be used as an overall command post

Insure the mobile command trailer has adequate equipment for the situation

Insure all communications between any parties involved, are being recorded.

Insure the proper radio channels are being used

F. Patrol Lieutenant, Night Commander, Duty Commander

1. Travel to the scene of the offense and assume overall command of the situation.
2. Insure all decisions and movements concerning the operation are cleared through you.
3. Notify Houston Police Tactical Unit, Swat, or Bomb Squad and request assistance if necessary.
4. If appropriate, activate the Hazardous Entry and Arrest Team to provide limited tactical support.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 30

SUBJECT: Hostage and Barricaded Suspect

- I. **PURPOSE:** to establish policy and procedures governing the response to an offense or situation that requires the department to respond to a hostage and or a barricaded suspect situation.
- II. **OBJECTIVE:** all reasonable measures should be taken to ensure the safety of innocent persons and hostages. Furthermore, no hostage situation should be allowed to go to a mobile status. It shall further be the objective of this Department to bring the situation to a peaceful end with as little damage to property as possible.
- III. **POLICY:** the nature of the law enforcement task occasionally requires a tactical response to hostage and or a barricaded situation. These situations increase the risk of injury to Law Enforcement personnel, civilians, and property. In order to reduce the risks involved, Deputies of the Fort Bend County Sheriff's Office shall always handle hostage and barricaded situations in accordance with Texas State Law and applicable Federal Laws. Their decisions and actions shall further be guided by provisions and conditions set forth in this General Order.
- IV. **DEFINITIONS:**
 - A. A situation which involves an armed and barricaded suspect or suspects, who have taken unlawful control of a residence, building or vehicle. And have further threatened the use of deadly force to maintain unlawful control of the structure or vehicle that is being occupied. It may or may not involve the taking of a hostage or hostages and or the involvement of a suicidal suspect.
 - B. A hostage or barricade situation may also be described as a situation where an armed suspect, or armed suspects, have taken unlawful control over a large area of land within Fort Bend County and demonstrated their intent to maintain the unlawful control by use of deadly force.
- V. **PROCEDURE:**
 - A. **Communications:** Upon receiving information indicating an offense involving an armed and barricaded suspect or suspects is in progress, communications will do the following:
 - 1. Direct District Officers to respond to the call, giving all information available.
 - 2. Inform Patrol Sergeant, of all situations.
 - 3. Inform the Detective Sergeant in charge of the injury squad, or the on call Detective Sergeant if the incident occurs after 5:00 p.m. or on a weekend or holiday.
 - 4. Alert E.M.S. and Fire Departments to stage at a safe distance from the location of the offense.
 - 5. Inform Support Services Sergeant or Lieutenant.
 - 6. Designate a radio channel for radio communication.

7. Communication should also attempt to stay on the phone with the reportee and gain as much information as possible.
8. If necessary, one of the primary channels may be temporarily shut down in order to comply with the manpower requirements of a tactical situation.

B. Responding Patrol Officers:

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3. Block off avenues of access or departure for the structure or property involved.
4. Visually and or verbally verify the validity of the situation without exposing self or others to gun fire and/or without causing the incident to escalate.
5. Report all findings and activities to communications and the Patrol Sergeant.
6. The Ranking or Senior Officer on the scene is in charge until a Patrol or Detective Supervisor arrives.

C. Patrol Sergeant.

1. Travel to the scene of the offense and assume command of the scene.
2. Asses the validity of the situation. If the situation is determined to be an offense involving a hostage or barricaded situation, the Patrol Sergeant should have the following persons informed in this sequence:
 - a. Sheriff.
 - b. Chief Deputy.
 - c. Captain of Operations.
 - d. Patrol Lieutenant, or the Night Commander, or the on call Duty Officer.
 - e. Lieutenant of Detective Division.
 - f. Public Information Officer.
3. Establish a command post in the immediate area.

D. Detective Sergeant on call or Injury Squad Sergeant.

1. After receiving primary information concerning an offense requiring a tactical response, alert the following:
 - a. Alert the Hazardous Entry and Arrest Team (H.E.A.T.) Commander.
 - b. Alert department Marksman Observer, (M.O.) Teams if the structure involved is of primary importance to public communication or utilities, hostages have been taken, or a substantial risk to Officers and Civilians is possible. Captain, Chief Deputy or Sheriff must authorize deployment.
 - c. Alert Hostage Negotiator (H.N.) Team to respond the location. The hostage negotiation team will be used even if the situation is one in which there is only barricaded suspects.

- d. Call out on call Detectives to respond to the scene.
 2. Travel to the location of the offense and assist the Patrol Sergeants in securing the scene.
 3. Take charge of any subsequent investigation which evolves from the situation.
 4. Brief H.E.A.T. and M.O. teams and insure they are staged in an appropriate area.
 5. If M.O. teams are used, they should be sent in to form an inner perimeter and report on activities of the suspects.
- E. Support Services Lieutenant and/or Sergeant.
1. Upon receiving information of a hostage or barricade situation, the Support Services Supervisor should:
 - a. Move the mobile command trailer to the involved area to be used as an overall command post.
 - b. Insure the mobile command trailer has adequate equipment for the situation, i.e.: radios, recording equipment and phone to facilitate communications between the negotiating team and suspects.
 - c. Insure all communications between any parties involved are being recorded.
 - d. Insure the proper radio channels are being used.
- F. Patrol Lieutenant, Night Commander or On call Duty Officer.
1. Travel to the scene of the offense and assume overall command of the situation.
 2. Insure all decisions and movements concerning the operation are cleared through you.
 3. Call SWAT team from either H.P.D. or D.P.S. if the situation warrants.
 4. Insure the arriving SWAT team leader is briefed pertaining to the situation at hand.
 5. Insure SWAT teams requirements and directives are complied with to achieve the objective.
- G. Lieutenant of Detective Division.
1. Travel to the location of the offense.
 2. Assist the overall Commander with scene supervision and facilitate additional manpower requirements by calling out detective units.
 3. If H.E.A.T. and/or M.O. teams are deployed, take charge of tactical operations.

H. Sheriff, Chief Deputy and/or Captain of Operations.

1. In the event of a hostage or barricade situation the Sheriff and/or the Chief Deputy will travel to the location of the offense.
2. If the Sheriff or Chief Deputy are not available, the Captain of Operations may act in their place.
3. In the event that an M.O. team is deployed either from this department, the authorization for the use of deadly force may only come from the Sheriff. If the Sheriff is not available the Chief Deputy or Captain of Operations may authorize the use of deadly force.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 31

SUBJECT: Hazardous Entry and Arrest Team

This directive addresses the formation, organization, selection and operation of a specialized unit of Sheriff's Office certified personnel to be known as the Fort Bend County Sheriff's Office Hazardous Entry and Arrest Team. Everything contained herein is intended to conform to rules and regulations as set forth in the Fort Bend County Sheriff's Office policy and ethics manual. In the event of any conflict, they will be resolved by the C.I.D. Commander.

- I. **PURPOSE:** to provide guidelines for the eventual formation and operation of a properly selected, trained and equipped Team of Deputies for the discharge of swift and efficient entry, arrest and seizure operations, especially as warranted by the Narcotic activity of the Narcotics Task Force or the Sheriff's Officer Narcotics Unit.
- II. **TEAM MISSION:** to secure designated objectives as expeditiously as possible, with the safety of all personnel of primary importance and to discharge other designated duties and operations as directed by the Sheriff or Team Commander.

The Team is not to be considered a so-called "SWAT" Team and will not conduct any operations normally associated with "SWAT" Teams. In the event that the team is needed for special operations to supplement other department operations, such as C.I.D., patrol or detention, where additional manpower is needed or required, the Team will be so deployed by order of the Sheriff or his designated representative.

In the event of a hostage situation, hostage negotiation, barricaded person or other type situation which falls outside the expertise and training of the Team, the appropriate agency shall be notified and request for assistance issued by the Sheriff or his designated representative.

III. STRUCTURE AND ORGANIZATION:

- A. The Team shall consist of Deputies of the Fort Bend County Sheriff's Office, who are selected as a result of successfully completing certain selection requirements. Once selected, a Team member will be assigned duties, issued equipment and provided specialized Team training related to the various missions of the Team.
- B. The Team will operate under the direct supervision of the C.I.D. Bureau Commander. The C.I.D. Bureau Commander shall appoint a Team Commander and a Deputy Commander. The Team Commander shall have ultimate authority over the Team and shall bear ultimate responsibility for Team operations and compliance with the Sheriff's Office Policy.
- C. The Team Commander may select one or more team leaders to oversee the actual tactical operation of specific Team functions, such as entry and objective securement. The assigned team leader(s) will be a working member of the specific team to which he is assigned.
- D. It is imperative that the Team operate as a team and that barriers of rank among Team members not be a deterrent to operations. Therefore, while in operation, the team shall be under the direct supervision of the Team Commander and the tactical command of the designated team leader(s). Normal agency rank, such as sergeant, lieutenant, detective, etc. shall be suspended during Team operations.

IV. USAGE:

- A. The Team shall be utilized for specific operations, as set forth herein and as provided by law. Examples of Team application are the following:
1. Narcotics – In progress by/bust.
 2. Narcotics – Felony apprehension or search warrant.
 3. High Risk Felony apprehension warrant.
 4. Felony search warrant for property.
- B. The Team may be utilized for other functions, duties or operations as deemed appropriate by the Sheriff or his representative.
- C. The Team will be called into service by the Team Commander, Deputy Team Commander or their designee.
- D. A rotating schedule may be established and maintained by the Team for determining "on call" status of unit personnel. In the event of the use of such a schedule, Team members will be notified, in advance, of their "on call" status.
- E. Failure to respond to a call out when "on call" may subject the Team member to disciplinary action.
- F. Once the Team has been called into service all personnel will respond to the designated location with their equipment. Upon arrival, each member will contact the Team Commander or his designee for instruction and assignment.
- G. The Team Commander and/or Team leader will meet with the case agent for briefing on the operation. This briefing will include, but not be limited to the following:
1. Definition of the Team objective.
 2. A drive by of the objective, if possible.
 3. Floor plan of objective.
 4. Suspect information.
 5. Weapon information.
 6. Vehicle information.
 7. Under cover officer, confidential informant and other officer information.
- H. The Team leader will plan the operation, designate additional assignments, select appropriate equipment and weapons, and plan all other aspects of the upcoming operation. Input from other Team members is important, but the final decision rest with the Team leader.
- I. The Team leader will then conduct a team briefing, including all Team members, all narcotic personnel involved. ANY ONE MISSING THE BRIEFING WILL NOT BE ALLOWED TO PARTICIPATE IN THE OPERATION.
- J. Upon securing the objective of the operation, the Team leader will immediately notify the Team Commander or his designee. The Team Commander or his designee will then be responsible for releasing the objective to the case agent, or other appropriate authority.
- K. No operation involving the Team will be conducted with less than six (6) team members present, unless authorized by the Team Commander or his designee. An example would be one that too many personnel would jeopardize the operation or the safety of the officers involved and the general public.

- L. Upon Completion of an operation all personnel will return to a pre-determined location for debriefing, critique and the securing of equipment used in the operation.

V. UNIT SELECTION:

- A. In every instance, membership in the Team is voluntary. Team members should be in physical and emotional condition conducive to high stress and strenuous physical activity.
- B. The selection of deputies who volunteer to be in the Team will be accomplished through a series of selection criteria, including, but not limited to the following:
1. A minimum of two (2) years of continuous service as a full time paid certified Texas Peace Officer.
 2. A minimum of one (1) year of continuous service in Patrol or C.I.D. with Fort Bend County Sheriff's Office as full time paid certified Texas Peace Officer.
 3. Written approval of prospective members Bureau Commander and shift supervisor.
 4. Successful completion of an appropriate physical fitness strength and agility test.
 5. Completion of a prescribed oral interview process. (The panel who will conduct this requirement will be composed of Department personnel, and possibly, professional individuals from outside the Department.)
- C. One a Deputy is selected to serve on the Team, he/she will be required to maintain physical conditioning necessary to perform the duties of the team. Each Team member will be required to take, and pass, an annual physical strength and agility test to demonstrate his/her conditioning.
- D. In the event any Team member cannot pass the annual strength and agility test, he/she will be suspended from the Team and will be re-tested within 30 days. If he/she should fail the second test, he/she will be suspended from the Team indefinitely.
- E. Any exceptions to any requirements of the Team are at the discretion of the Team Commander and the C.I.D. Bureau Commander. Their decision shall be final in all these matters.
- F. An individual file shall be maintained on each Team member, and shall contain all documentation of training, selection, correspondence and any other material relative to the member and the Team. These files will be maintained in the office of the Team Commander. Team members may examine their file, upon setting up an appointment with the Team Commander, at any time during regular C.I.D. office hours.

VI. TRAINING:

- A. Objective and proper training is primary and vital to the safe and efficient operation of the Team. This training is to be uniform in nature and provided to each member of the Team. Training will be conducted in a timely manner depending upon the needs and requirements of the team. The Team Commander is responsible for planning and supervising all team training.

- B. All training will be documented and recorded. Results of training will be reflected in Team and individual files.
- C. A Team member that misses two consecutive training sessions or three training sessions in a one year period will be subject to formal review which may lead to disciplinary action. All absences from training sessions will be explained in writing by the member concerned. This explanation is to be submitted to the Team Commander.
- D. Training schedules and training curriculum will be provided to Team members on a timely basis so as to minimize conflict and interference with Sheriff's Office functions and personal activities and planning.

VII. UNIFORM:

- A. All Team members shall wear the uniform issued by or specified by the Fort Bend County Sheriff's Office. Any exceptions must be approved by the Team Commander. The Team uniform shall consist of the following and additional equipment may be added depending upon the needs and requirements of the Team.
 - 1. BDU – Black Pants
 - 2. Hazardous entry and Arrest Team Shirts
 - 3. Black Boots
 - 4. Black Nylon duty belt with holster
 - 5. Kevlar Helment
 - 6. Two sets of handcuffs
 - 7. Entry Body Armor
- B. Practice uniform requirements will be set by the Team Commander. The Hazardous Entry and Arrest Team uniform should be restricted to actual operations unless specified by the Team Commander.

VIII. DISCIPLINARY ACTION:

- A. Recommendations for disciplinary action shall be initiated by the Team Commander. Final recommendation for action shall be made by the Team Commander and the C.I.D. Bureau Commander.
- B. Any Team Member dismissed from the Team may apply for reinstatement at the end of one year from time of dismissal.
- C. Any Team member that is suspended from normal duties within the Sheriff's Office shall be also suspended from the Hazardous Entry and Arrest Team until they return to normal duty.

IX. INCENTIVES:

- A. Members will receive compensatory time from the time they arrive at the location of the Team briefing till the time that the operation is completed, as determined by the Team Commander.
- B. Members will receive compensatory time for any practice time not during regular working hours, as determined by the Team Commander.

X. EQUIPMENT:

- A. All issued equipment will be signed for by each Team member at the time of its issue. The maintenance and upkeep will be the responsibility of the individual member.
- B. Upon leaving the Team, for whatever the reason, all issued equipment will be returned to the Team Commander. Any shortages or damage, except for normal wear and tear will be the responsibility of the individual to whom the equipment was initially issued.

XI. CALL OUT PROCEDURES:

- A. Each Hazardous Entry and Arrest Team member will be issued a Sheriff's Office pager.
- B. Hazardous entry and Arrest Team members will be on-call at all times and will carry their pager on their person.
- C. The Hazardous Entry and Arrest Team will be called out using the Alpha Page system set up at the Sheriff's Office or the system set up for the purpose of calling out the Hazardous entry and Arrest Team.
- D. A minimum of two pages will be sent out to the Hazardous Entry and Arrest Team on any call out or stand by if time allows.
- E. Once a call out or stand by is received, members of the Hazardous Entry and Arrest Team shall have fifteen minutes to notify the Team Commander, if available, or the Deputy Commander of their status and be prepared to meet at the designated place within one hour of the call out.
- F. Upon meeting at the designated place, a team leader will be assigned by the Team Commander or Deputy Commander or their designated representative.
- G. A minimum of six Team members are required for any operation unless, in the opinion of the Team Commander or the Deputy Commander, this number would jeopardize the operation or the safety of the officers involved and the general public.
- H. Any member of the Team that arrives for a call out and does not have all the proper gear, will not be allowed to participate in the operation.

XII. PROCEDURES FOR A TEAM LEADER:

- A. Call out is initiated by the Team Commander or Deputy Commander.
- B. Team leader is assigned by Team Commander or Deputy Commander or their designated representative.
- C. Team leader will review objective with case agent.
- D. Team leader or his designated representative will conduct a drive by of designated objective, if possible.
- E. Team leader will assure necessary special equipment is on hand.
- F. Team leader will have case agent give briefing on designated objective and suspect(s).
- G. Team leader will then conduct a briefing and give out assignments to Team members and planning approach, primary and secondary entrance, disposition of suspect(s) and outside security once objective is attained.

- H. Team leader will conduct an inspection of all individual and Team equipment before leaving for the objective.
- I. After objective is attained and the Team is ready to leave the objective, the Team leader will conduct an inspection and inventory of all Team equipment.
- J. The Team leader will conduct a walk through of the objective before leaving.
- K. Team leader will confer with case agent in regard to any reports or supplements needed and insure that reports or supplements, if any, are completed before going off duty.
- L. Team leader will conduct a debriefing of the operation at the Sheriff's Office.
- M. Team leader will complete and turn into the Team Commander all Team reports including a synopsis of the raid before going off duty.

XIII. SPECIAL TEAM EQUIPMENT:

552.108

XIV. FIREARMS QUALIFICATION:


- A. All Team members must qualify with their handgun. Failure to qualify will result in the member being dismissed form the Team.
- B. All Team members will qualify with the Team shotgun(s).

552.108

- D. All Team members will familiarize themselves with other Team members handgun. Each member will be instructed in the loading and firing of other Team members handguns.

XV. CHAIN OF COMMAND:

- A. The Chain of Command for the Hazardous Entry and Arrest Team shall be the following:
 1. Sheriff
 2. Chief Deputy
 3. Captain – Enforcement

- 
4. Lieutenant – C.I.D.
 5. Team Commander
 6. Deputy Team Commander

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 32

SUBJECT: Policy Governing Search and Rescue Dog Team

I. **PURPOSE:** the purpose of this General Order is to establish policies and procedures governing the use of the Search and Rescue Dog Team (SAR Dog Team).

II. **DEFINITION:**

A. Search and Rescue Dog Team: is a multi-agency unit consisting of Fort Bend County Sheriff's Office bloodhounds, handlers and Deputies, and Missouri City K-9's and handlers.

B. Bloodhound: a non aggressive dog specially trained to trail and match scents.

C. Patrol K-9: a canine that can be aggressive on command and is specially trained in apprehension, tracking, searching and handler protection.

D. Contamination: anything that would interfere with or mix with the suspects scent. Sources of contamination include carbon monoxide from vehicles, persons handling items to be used for scent, and people in or near the incident scene.

III. **POLICY:** it shall be the policy of Fort Bend County Sheriff's Office that the procedures outlined in this General Order will be complied with in their entirety.

IV. **CALL OUT OF THE SAR DOG TEAM:**

A. The SAR Dog Team will be called out on all felony offenses when the suspects have fled on foot and the Supervisor feels the SAR Dog Team could be useful in the apprehension of the suspect(s) or locating evidence.

B. The SAR Dog Team will be called out on all lost people when children, elderly or mentally handicapped are involved and the Supervisor determines that a ground search is necessary.

C. The SAR Dog Team will not trail fleeing suspects whose identification is known unless the Supervisor determines it necessary because of circumstances that warrant it. (murderer, sex offender)

V. **PROCEDURES:**

A. First Deputy on the Scene.

1. Taking Charge of the Scene.

a. Shut off car or keep it away from scene to avoid carbon monoxide contamination.

b. When suspect is fleeing on ground, do not allow assisting cruisers to come straight to the scene. The Deputy should take charge and establish a "high visibility" perimeter in accordance with the time element.

2. When suspect is on the ground fleeing, notify Supervisor to request the SAR Dog Team immediately. Time is of the utmost importance.
3. Secure the scene. Do not allow officers or on lookers to walk or stand near the scene.
4. Do not touch or handle any item the suspect may have worn or handled. This is especially true of car seats and steering wheels.
5. If an Officer was in contact with the scent article, he must be present at the scene before the dog starts the trail.

B. Sergeant or Supervisor.

1. Have the SAR Dog Team alpha paged as quickly as possible. Time is of the utmost importance.
2. Take charge and verify that a "high visibility" perimeter has been properly established with emphasis on time and distance. A suspect has less chance to run any distance if he must hide.
3. Verify that pay telephones in the area are being watched. Experience has shown that a majority of fleeing suspects go to local pay phones.
4. Assure that the scene is protected from contamination.
5. Assure that the SAR Dog Team is provided with all details of the incident immediately upon arrival.
6. Place control of the actual trail in the hands of the SAR Dog Team.
7. Assign a marked vehicle(s) to assist the SAR Dog Team with traffic control. The K-9 vehicle should be the first vehicle behind the bloodhound.
8. If the suspect is apprehended while the dog is trailing, it is extremely important that the suspect be held until the dog can identify him.

C. First SAR Dog Team member on the Scene.

1. Obtain full information on the incident including descriptions, actions, and direction of travel.
2. Obtain scent articles on all possible individuals involved.
3. Assure that any persons who may have handled scent articles are available at the scene.

D. Dog Handlers.

1. Maintain control of their dogs at all times.
2. Take control of the actual trail.
3. Advise by radio the bloodhound has started trailing and that a K-9 is on the ground working.

E. Escort Deputies.

1. Maintain control of traffic, both vehicular and pedestrian, to the front and rear of the SAR Dog Team. Do not allow any vehicle movement near the dogs. The dogs constantly change direction and could cut across the roadway at any time. Pedestrians should be told to stand still until the dogs pass them.
2. Intersections should be closed completely well ahead of the dogs.
3. The K-9 vehicle should always be directly behind the trailing bloodhounds.

F. Dispatch: alpha page the SAR Dog Team stating: 1) reason-criminal, lost person, evidence; 2) agency requesting; 3) address to respond to; 4) key map location.

G. Helicopter: the pilot should maintain a minimum height of 200 feet and a maximum speed of 40 mph.

VI. GENERAL PROCEDURES:

- A. Do not touch the dogs. This is a distraction to the dogs and with K-9's, it could be dangerous to your health.
- B. In the event that a K-9 is deployed, to apprehend a suspect, FREEZE until the K-9 has passed. Wait until the handler has taken control of the K-9 and has signaled that it is safe to approach.
- C. Do not chase the suspect if the K-9 is still apprehending him.
- D. Assure that the perimeter is wide enough that the suspects are still contained.
- E. Avoid unnecessary contact with the scene to eliminate contamination. If you have touched anything at the scene, advise the SAR Dog Team immediately upon their arrival. This contamination can easily overcome, but can completely destroy any chance of a successful trail if it goes unreported.

VII. COLLECTING SCENT EVIDENCE:

- A. SCENT – The human body consists of approximately 60 trillion skin cells, which are constantly dying. The dying cells are shed from the body at a rate of approximately 40 thousand cells per minute. These microscopic cells are what the bloodhound trails or identifies. Body scent should **not** be confused with body odor.
- B. It does **not** matter that someone else has touched the item that scent is to be collected from. Example: The homeowner picked up the hammer used to break the window. It does **not** matter. He just needs to be present if the bloodhound is to trail.
- C. Do **not** collect scent from the outside of the vehicle or building unless there is found property from inside the building or vehicle. It will **not** put the suspect **in** the crime scent.
- D. Scent can be collected from a victim's clothing or person. Example: The suspect grabbed the victim's arm and took her purse.

- 9
- E. Multiple items can be touched with one scent pad. Examples: BMV-radio area, seat and glove box; UUMV-steering wheel and shifting knob; Burglary-all open drawers in the master bedroom.
 - F. At burglary scenes try to collect scent from two or more different rooms. The purpose of this is to try and collect scent of multiple suspects. The inside of an entry windowsill is one good location because all the suspects usually go through the same entry window.
 - G. You do not have to scrub the item to collect the scent. If the item is to be fingerprinted, just set the gauze pad on the item for approximately one minute.
 - H. Labeling the zip lock bag: address-is the address where the scent pad was made; article-is what was touched with the gauze pad (gun, drawer, or windowsill); location-location of the item touched (master bedroom, office, or backyard).
 - I. The scent pads should be placed in a brown evidence bag, labeled, and placed in the scent evidence locker.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 36

SUBJECT: Internal Affairs

- I. **PURPOSE:** to create a process in order to ensure the integrity of the Fort Bend County Sheriff's Office.
- II. **POLICY:** the Fort Bend County Sheriff's Office Internal Affairs is hereby established. The goal of the internal affairs function is to ensure that the integrity of the agency is maintained through an internal system whereby objectivity, fairness, and justice are ensured by an impartial investigation and review.
- III. **ADMINISTRATION OF INTERNAL AFFAIRS:**
 - A. The Chief Deputy shall be responsible for overseeing all activities of the Internal Affairs component. The Chief Deputy may delegate investigative duties as necessary. Individuals assigned such duties shall report directly to the Chief Deputy.
 - B. The activities of the Internal Affairs function shall include, but are not limited to the following:
 1. Recording and controlling the investigation of complaints against employees;
 2. Supervising the investigation of alleged, or suspected misconduct, including criminal conduct, within the agency.
 3. Maintaining the confidentiality of the Internal Affairs investigations and related records.
 - C. An internal affairs investigation, citizen complaint, will be conducted in compliance with Section 614.022 and 614.023 of the Government Code. The Chief Deputy may authorize an Internal Affairs investigation if either he or the Sheriff consider the circumstances extraordinary and the integrity of the employee or the agency is in question.
 1. The Chief Deputy shall review all internal investigation and make a recommendation to the Sheriff.
 2. The Chief Deputy shall maintain the stated records in a secure location. These records shall be maintained as follows.
 - a. Allegations Unfounded - allegation is demonstrably false, or there is no credible evidence to support it, maintained for two years from date of completion of investigation.
 - b. Allegations Substantiated- Policy Violation Non-Criminal – retained for two years from date of affected employees cessation of employment.
 - c. Criminal Violation – maintained indefinitely.
 - d. Insufficient Evidence – there is insufficient evidence to confirm or refute the allegation, maintained for two years from date of completion of investigation.

D. Required Notifications.

1. The Chief Deputy shall be notified through proper channels as soon as practical in any of the following instances:
 - a. Allegation of or suspected criminal misconduct.
 - b. Complaints of a serious nature which have reached the public domain, news media and may require an official response.
 - c. Any complaint which in the opinion of the Division Commander or Deputy commander warrants such notification.

E. Complaints concerning Agency Policies or Practices. An employee who receives a complaint concerning Agency Policy or Practice, shall direct the complaint to the Chief Deputy or the Duty Commander. If referred to the Duty Commander, the Chief Deputy shall be informed of the nature of the complaint.

IV. CONFIDENTIALITY OF RECORDS:

- A. It shall be the stated policy of this office that activities, reports and records of the internal affairs function will at all times remain confidential. Personnel assigned to internal affairs duties shall not cause information concerning their activities to be divulged to unauthorized persons.
- B. Access to internal affairs records shall be strictly limited to those authorized by the Chief Deputy or Sheriff.
- C. Information contained in internal affairs records shall not be released except in response to an order from a court of competent jurisdiction.

V. REQUIREMENTS:

- A. Polygraph Examinations – an employee may be compelled to submit to a polygraph examination as authorized under Section 1, Chapter 614, Subchapter E, Government Code. An employee who refuses to submit to such examination may be terminated.
- B. Medical and Laboratory Exams – an employee may be required to submit to medical or laboratory examinations, including but not limited to a test for the presence of drugs or alcohol. Such examinations shall be on a case to case basis, other than those random test required under County Policy.
- C. Photographs and Lineups – an employee may be photographed or directed to participate in a line up pursuant to an internal affairs investigation.
- D. Financial Disclosure Statement – an employee may be directed to submit a financial disclosure statement if probable cause exist to believe a criminal violation has occurred.
- E. Truthful Statement – employees shall be required to submit a truthful statement during an official investigation; however, such statement may not be used for criminal prosecution unless the employee is admonished of his rights regarding self incrimination and the employee voluntarily waives these rights.

VI. REFUSAL TO COOPERATE WITH INVESTIGATION: an employee who fails to cooperate as required in Section V shall be subject to disciplinary action including termination.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 37

SUBJECT: Fleet Safety Program

I. **PURPOSE:** to establish procedures that will serve to enhance defensive driving habits of Sheriff's Officer drivers through effective training coupled with fair and impartial review of accidents and occurrences involving Sheriff's officer personnel. Both employees and volunteers driving or assigned County owned vehicles.

II. **DEFINITIONS:**

A. Fleet Drivers – All employees of the Fort Bend County Sheriff's Office that are driving a County owned vehicle and all non employees authorized to drive County owned vehicles.

The term, Fleet Driver, shall extend to include, individuals assigned or responsible for a County owned vehicle in those instances of fleet occurrence not deemed to be a fleet accident.

B. Accident – An unintended event or unstabilized situation that produces injury or damage not directly resulting from a cataclysm.

C. Fleet Accident – Any occurrence within the definition if accident involving a County owned vehicle including those instances where the County owned vehicle would be classified as a non contact unit.

D. Non Contact Unit – A vehicle which contributes to an accident by unusual or illegal behavior but strikes nothing and suffers neither damage or injury.

III. **RESPONSIBILITY:**

A. Driver – When involved in a Fleet accident/occurrence it shall be the responsibility of any Fleet Driver to do the following:

1. Notify the communications dispatcher and summon assistance as may be necessary.
2. Render aid to any injured person.
3. Notify the immediate Supervisor as quickly as possible.
4. Submit a written report in memorandum form giving a complete account of the accident/occurrence to the immediate Supervisor as soon as practical.

B. Immediate Supervisor or Fleet Driver Involved – It shall be the responsibility of the immediate Supervisor to coordinate with the investigating patrol Supervisor, if other than himself/herself to ensure that all facts and circumstances of the incident are documented.

C. Patrol Supervisor on Duty – Upon notification of a Fleet accident or occurrence the on duty patrol supervisor will be responsible to do the following:

1. Proceed to the location if in Fort Bend County or adjacent to the County.

2. Coordinate a thorough investigation and ensure that all necessary reports are completed.

3. If the accident/occurrence is within a Fort Bend County Municipality or outside the County, notification will be made to the Police Agency having jurisdiction. Required investigation and reporting will be relinquished to them.

If the local Agency declines to investigate the accident/occurrence, the Texas Department of Public Safety will be requested to conduct an investigation.

4. In the case of Fleet accidents/occurrences that are in the unincorporated areas of Fort Bend County, the investigation may be conducted by a Sheriff's Office investigator or by the Texas Department of Public Safety. In the following instances, every attempt will be made to obtain an independent investigation from the D.P.S.

a. The accident involves collision with another vehicle.

b. The County owned vehicle is the only one involved and there is extensive damage or injury.

5. Notify the Sheriff's Office Identification Officers for photographs or make photographs depending upon the circumstances.

6. In the case of injury to an employee or to a non employee that is covered under workers compensation, ensure that the first report of injury is completed and submitted within time frames as required.

7. Follow up on status of injured citizens and render necessary assistance to families involved.

8. Conduct any and all other activities required by Sheriff's Office Policy or County Policy.

9. Assemble all required documents and related items and submit to the Division Commander of the Fleet Driver involved.

10. Notify County Vehicle Maintenance in those cases where the county vehicle is damaged to the extent that it cannot be driven.

D. Commanding Officer – It will be the responsibility of the commanding officer to review the facts and circumstances of the accident/occurrence and make a determination as to classification of the incident.

The accident/occurrence will be classified as either preventable or non preventable based on a sound standard of reasonability. Did the individual involved do everything reasonably possible to avoid the accident/occurrence?

The commanding officer will notify the employee in writing of the classification of the accident/occurrence. The notification will advise the employee of the right to appeal to the accident review board. (Annex 1)

Upon completion, the commanding officer will submit the investigative package through channels to the Chief Deputy.

It will be the commanding officers responsibility to have a copy of all necessary documents delivered to risk management as soon as possible following the accident/occurrence.

IV. ACCIDENT REVIEW BOARD:

A. An accident review board will be appointed by the Chief Deputy upon written request of appeal form the fleet driver involved.

B. The accident review board will be comprised as follows:

1. Lieutenant or above (Chairperson)
2. Sergeant, Patrol Division
3. Sergeant, other than Patrol Division
4. Detective
5. Deputy from Division or Unit as Appealing Fleet Driver.

C. Procedure:

1. The accident review board shall review all documents relative to the accident/occurrence, summon any individual involved in the process that might be helpful in concluding a final classification and render a decision based on sound reasonability.
2. The individual making the appeal will be entitled to appear before the board if so desired.
3. The responsibility of the accident review board is to make a classification determination of the accident/occurrence and it shall not become a disciplinary entity. Disciplinary measures, should there be any to consider, will be handled through the fleet driver's chain of command as it was at the time of the incident.
4. The decision of the Board will be submitted to the Chief Deputy in writing for final review.

V. TRAINING: The County organized a defensive driving course for all County employees and their families. The course is usually taught once a month in the conference room at the Emergency Medical Services building at 4336 Highway 36 in Rosenberg. It is an eight hour course and is usually taught in two, four hour segments on consecutive days. The course is free for all County employees. The cost for each family member is two dollars and fifty cents (\$2.50). (County Employee's Manual 110.01)

It is mandatory that all employees who drive County owned vehicles take the defensive driving course every three years. All employees who drive a County vehicle must be insurable under the County's automobile insurance coverage. If an employee becomes uninsurable under the coverage it may be grounds for immediate termination. (County Employee's Manual 110.02)

Sheriff's Department fleet drivers involved in a preventable fleet accident/occurrence will be assigned to attend the County provided defensive driving course or some other quality block of remedial driver training as determined by the employee's commanding officer. This training will be assigned within 120 days of the date of the accident/occurrence.

Annex #1 is an outline of the County point system to determine insurability.

ANNEX 1

DATE:

TO:

FROM:

REF: Fleet Accident/Occurrence

DATE OF ACCIDENT/OCCURRENCE: _____

CLASSIFICATION OF ACCIDENT/OCCURRENCE: _____

If you desire to appeal the classification of this Accident/Occurrence to the Accident Review Board, you may do so by returning this signed memorandum to your Immediate Supervisor within ten (10) days of the date of this Notification.

APPEAL REQUESTED: _____
Signature

ANNEX 2

**AUTOMOBILE LIABILITY POINT SYSTEM FOR
EXCLUSION OF FORT BEND COUNTY DRIVERS**

EXCLUDED DRIVER:

Would have moving violations (within the past 36 months) adding up to 12 or more points.

WARNED DRIVER:

Would have moving violations (within the past 36 months) of 8 to 11 points.

The following is a schedule of the points as assessed for specific violations.

6 Points:

- Hit and Run
- Leaving the Scene of an Accident
- Negligent Homicide
- Driving Under the Influence of Drugs or Alcohol
- Unlawful Use of a Driver's License

4 Points:

- At Fault Accidents
- Driving on Wrong Side of Road
- Driving in Wrong Lane
- Turn from Wrong Lane
- Failure to Control Vehicle
- Illegal Passing

3 Points:

- Speeding
- All Other Moving Violations
(to include all other scheduled violations)

Automatic Exclusion for Vehicular Manslaughter or Vehicular Homicide.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 38

SUBJECT: Media – Public Information

- I. **PURPOSE:** to establish Departmental guidelines governing the release of information to the general public and provide for the cooperation and assistance to the news media.
- II. **POLICY:** The Fort Bend County Sheriff's Office recognizes the public's right to have access to public records and the news media's right to report on matters of public interest. Article 6252-17a V.T.C.S. (Texas Open Records Act) governs access to and/or release of public records and information. In accordance with the law, the policy of the Fort Bend County Sheriff's Office is to release ALL information in a manner which does not jeopardize an individual's right to privacy nor impairs the prosecution of the offender or impedes the law enforcement process.

It is Department Policy that a professional working relationship be maintained between the Sheriff's Office and news media representatives so both may accomplish their objectives. News media representatives have an obligation to gather information which is in the public interest. They will be supported in their efforts without interference from Sheriff's Office personnel, within the confines of the law.

Information will be released to the news media without partiality. No member of the Fort Bend County Sheriff' Office shall delay the release of information to favor any particular news media representative or agency. Further, information will be released in a timely manner with respect to media deadlines when at all possible.

III. **INFORMATION NORMALLY AVAILABLE TO THE PUBLIC UNDER APPLICABLE STATE AND FEDERAL LAW WILL BE RELEASED:**

- A. Article 6252-17a, Sec.3, V.T.C.S. (Texas Open Records Act) governs access to and release of public information and public records. Related judicial decisions and Attorney General Opinions shall also be used to guide the agency in making public/not public decisions concerning the release of information and records.

Examples of Public Information and Public Records in this Department that will be released include:

- 1. Show-up sheet or Arrest sheet.
- 2. Offense Reports (first page only).
 - a. Offense committed.
 - b. Location of offense.
 - c. Identification and description of complainant except in sexual assault cases.
 - d. Premises involved.
 - e. Time of occurrence.
 - f. Property involved.
 - g. Vehicle involved.
 - h. Description of weather.
 - i. Detailed description of Offense.
 - j. Names of Investigating Officer.

3. Accident Reports (excluding criminal investigative information).

Public Information Desk – Information concerning routine criminal investigations will be made available at the Public Information Desk.

B. Crime/Incident Information (on-scene).

1. A synopsis of the crime or incident will be released from the scene, if at all possible, including:

- a. Incident category.
- b. Date/time occurred.
- c. Address occurred (except as outlined in Sec. IV).
- d. Complainant/Victim (except as outlined in Sec. IV).
- e. Nature of injury.
- f. Amount of reported damage or loss.
- g. Investigating Officer.
- h. Case Status (Open, Suspended or Closed).

2. Anytime a designated Public Information Officer releases information pursuant to Section III, B, of this order or concerning an on going criminal investigation he shall brief the Sheriff as soon as possible.

C. Arrested Persons.

1. Information that will normally be released on arrested persons includes:

- a. Name, age, address, occupation (except as outlined in section IV).
- b. Nature of charge.
- c. Circumstances surrounding the arrest, including time, place, resistance, pursuit or weapons used.
- d. Identity of the arresting officer.
- e. Scheduled hearing and court dates if duly noted or known.
- f. Bail or bonding information if noted or available.

D. Information on motor vehicle accidents when the investigation is completed or when the investigation will not be impeded by questioning the investigating officer.

E. Information on non-criminal incidents, including fires, accidents other than vehicular, drowning, missing persons, etc. (except as outlined in section IV).

F. Criminal history record information or information on adjudicated cases may be obtained from the Court.

IV. INFORMATION THAT GENERALLY WILL NOT BE RELEASED: Records and information which is classified as confidential or exempt pursuant to federal or state laws or judicial decisions, specifically those records and information excepted by Section 3 of the Texas Open Records Act.

In accordance with the Texas Open Records Act, the following guidelines shall be used by agency personnel in making a public/not public determination when releasing records or information.

- A. If disclosure of item would interfere with state's prosecution of a potential or pending criminal case – NOT PUBLIC.
- B. If disclosure of item might deprive a defendant of a fair trial – NOT PUBLIC.

- C. If disclosure of item might identify a confidential informant – NOT PUBLIC.
- D. If disclosure of item might result in intimidation or harassment of a witness – NOT PUBLIC.
- E. If disclosure of item would result in the unwarranted invasion of personal privacy – NOT PUBLIC.
- F. If disclosure of the item would reveal law enforcement investigative techniques and procedures or crime prevention techniques and procedures, the disclosure of which would hamper law enforcement – NOT PUBLIC.
- G. If disclosure of item would interfere with the arrest of the appropriate subject – NOT PUBLIC.
- H. If disclosure of the item would deter police-citizen cooperation in the future – NOT PUBLIC.
- I. If disclosure of item would result in a severe decrease in the time and attention investigators could devote to case – NOT PUBLIC.
- J. If disclosure of item would in the opinion of the government attorney involved, affect the outcome of pending or potential civil or criminal litigation, to which the government unit or employee may be or may become a party – NOT PUBLIC.
- K. Examination questions and answer sheets of examinations which are administered for the purpose of licensure, certification or employment are NOT PUBLIC.
- L. Any information revealing undercover personnel of any criminal justice agency – NOT PUBLIC.
- M. Photographs, names, addresses or other information which could lead to the identity of a victim of a sex offense – NOT PUBLIC.
- N. Photographs, name, address or other information which could lead to the identity of any victim of child abuse – NOT PUBLIC.
- O. Identity of death victims until reasonable efforts have been exhausted to notify the next of kin – NOT PUBLIC.
- P. Identity of persons legally defined as juveniles who have been arrested or are under investigation, except as otherwise specified under Texas Law – NOT PUBLIC.

V. WHO MAY RELEASE INFORMATION:

- A. The Department's Public Information Officer shall have primary responsibility for the release of information through press releases and statements. In the absence of the Public Information Officer the on scene Supervisor or Ranking officer will assume this authority.
- B. At the scene of the crime or major incident, responsibility for releasing information shall rest with the Public Information Officer or designee.
- C. Information concerning Departmental plans, policies or administrative changes shall be released by the Sheriff or his designee.

- D. Matters pertaining to Department personnel or internal affairs shall be released by the Sheriff or a designee.
- E. Requests for public records or information not ordinarily available at the public information desk, shall be made in writing and directed to the Public Information Officer or designee.

VI. SOURCES OF INFORMATION FOR THE MEDIA.

- A. In order to facilitate the dissemination of crime/incident information, new media representatives should pursue the following channels for information.
 - 1. Public Information – Routine information concerning criminal investigations and incidents, show up sheets, copies of press releases, etc. will be made available to media representatives at the Department's public information desk. Access to the desk will be available 24 hours daily to bonafide representatives of the news media.
 - 2. Press Releases – There will be no regularly scheduled press releases prepared by the Sheriff's Office. Press releases will be prepared when, in the opinion of the PIO, a major incident is likely to attract widespread media attention. The PIO will notify the media on issued press releases and scheduled press conferences.
 - 3. Media representatives requesting feature story interviews (excluding on scene situations) with on-duty members of the Department should first contact the Public Information Officer or designee for clearance. The Department member's supervisor will then coordinate the request to prevent interference with the member's assigned duties. Information shall then be released in accordance with Sections III and IV of this General Order.
 - 4. After Normal Working Hours, the media representatives may call the public information officer and obtain a synopsis of a major incident that may have occurred.
 - 5. All personnel should understand that it is standard press policy that conversations with representatives of the news media are **ON THE RECORD** and are subject to be quoted.

VII. PRESS CREDENTIALS.

- A. The Fort Bend County Sheriff's Office recognizes valid press credentials from all bonafide news agencies, including (but not limited to) press cards issued by the Sheriff or other area law enforcement agencies. Appropriate news media privileges, per se, are not extended to unaffiliated (free lance) writers, photographers or other members of the general public.
- B. Fort Bend County Sheriff's Office press credentials shall be issued by the Sheriff. The managing editor of any bonafide news gathering service may request press credentials for persons in his employ, whose duties routinely require the gathering and reporting of newsworthy information. Requests for press credentials should be made by submitting the request to the Sheriff on official agency letterhead.
- C. Press credentials should be displayed at the scene of police incidents or when requesting access to the Sheriff's Office Headquarters.

- D. Employees of the Department shall extend every possible courtesy and cooperation to bearers of official press credentials, consistent with provisions of Department regulations covering the release of public information.
- E. Fort Bend County Sheriff's Office press credentials and media privileges may be suspended by the Sheriff for cause.

VIII. CRIME SCENES.

- A. Public Information or "Situation Briefings" will be provided, as soon as practical, at the scene of a crime or police incident by the public information officer or designee. Follow-up information will be released by the PIO or designee as it becomes available.
- B. At the scene of police related incidents, whether criminal or of another nature, police have the obligation to preserve the integrity of the scene, to gather evidence and to complete other needed police activities.
 - 1. News representatives, with properly displayed press identification, will be allowed, as conditions permit, to go as near as feasible to the scene itself. News representatives are NOT to be considered as the general public in the area of an incident or crime scene, but as persons who must fulfill their assigned tasks. Members of the news media are not, however, exempt from laws and/or investigative procedures enforced by this Department.
 - 2. Officers will not assume media representatives know exactly where a crime scene has been established. Whenever possible, a scene should be established by rope or tape. When this is not possible due to manpower, time, size of the area or other outside factors, the Deputy in charge shall delineate a reasonable scene area and relate its points of reference to the media.
 - 3. In all cases, media representatives will be allowed to remain wherever the general public is allowed. Allowing news reporters and photographers beyond the exterior perimeter is dependent upon the tactical situation and will be approved by the Deputy in charge.
 - 4. If the incident is within a private building or dwelling, police personnel will secure and protect the building or dwelling in whole or in part, as may be necessary in order to protect the scene. Under such circumstances, the general public and media representatives may be excluded from the building until the police purpose is accomplished and the scene is released.
 - 5. If the incident is outside of the building or dwelling, police personnel will delineate the specific scene area and prevent the general public and media representatives from entering the actual scene for such length of time needed to complete the police investigation.
 - 6. At the crime scene where an outside agency (i.e., Houston Police, FBI, or Fire Department) is responsible for the investigation, or where the scene is turned over to another agency, the Fort Bend County Sheriff's Office person ordinarily responsible for releasing public information will inform the outside agency as to what information has been released to that agency. Public Information released on all joint agency investigations will be mutually agreed upon by the agency personnel responsible.
- C. If a crime scene is on private property and the owner or person in charge of that property denies permission to members of the media entry onto the property, and so states to the news representatives in the presence of police personnel, police have an obligation to

ensure that the denial is honored; otherwise, press representatives have the right to remain on private property, outside the established crime scene, to complete their news gathering tasks.

- D. Deputies will take into consideration the "deadline" time of the respective news media representatives when he or she requests information regarding a police related incident and will oblige the representative as much as possible in meeting the "deadline".
- E. At fire related incidents, the decision to allow properly identified reporters and photographers to pass beyond fire lines or to restrict them from a fire area will be the responsibility of the on scene Fire Commander.
- F. Photographing police related incidents, including motor vehicle accidents, accident injuries and uncovered bodies will be at the discretion of the news media, provided the process does not interfere with rescue personnel or the investigation.
- G. Photographing any individual in custody will not be permitted within the Sheriff's Office Headquarters. Photographing prisoners outside the Headquarters is permitted; however, prisoners will not be posed for photographs. Department photographs of an arrested person may be released only with the authorization of the investigating agency.
- H. Officers will refrain from advising victims or witnesses not to converse with news media representatives. Persons involved in incidents, who ARE in police custody, shall not be allowed to discuss such incidents with news media representatives.
- I. Members shall not seek publicity through the news media or furnish information to same for the express purpose of seeking personal notoriety, while acting in an official capacity for the Fort Bend County Sheriff's Office.

IX. DETENTION FACILITY: No cameras will be allowed within the Detention Facility.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 39

SUBJECT: Accident Review Boards

- I. **PURPOSE:** the establishment of the Accident Review Board is hereby set forth to analyze each accident involving Sheriff's Office County equipment; however, not limited thereto. This will be an effort to render fair and impartial findings of fact.
- II. **POLICY:** The Accident Review Board will meet at such time as directed by the Lieutenant of the Patrol Bureau. The Board will study investigative reports, and hear statements, if needed, to establish the facts concerning the accident. The Board will interview the members of the Sheriff's Office involved. In the event he or she is injured or otherwise unable to attend, review of that accident may be postponed with verbal approval of the Board Chairman.
- III. **APPOINTMENT OF THE BOARD:** The Lieutenant of the Patrol Bureau will have the responsibility of selecting those who will serve on the Accident Review Board. A Chairman of the Board and three (3) Board Members will be appointed and serve for one (1) year. A fifth Board Member of equal rank as the employee under investigation will be appointed prior to the Board Meeting. All findings pertaining to the Accident Review Board will be maintained in the Administrative Office of the Patrol Bureau and the Lieutenant of the Patrol Bureau will submit a quarterly report to the Captain of Enforcement indicating the accidents reviewed and any action taken during the past quarter.
- IV. **COMPOSITION OF BOARD:** The Accident Review Board will consist of five members. The Chairman will be of the rank of Sergeant or above. The Board will consist of one (1) Sergeant, one Detective, one Deputy and at least one (1) member of the equal rank as the employee under investigation.
 1. Chairman
 2. Sergeant, Detective Bureau
 3. Detective
 4. Deputy
 5. Deputy
- V. **RESPONSIBILITY OF BOARD:** The Accident Review Board will submit their findings through the Patrol Bureau Lieutenant to the Chief Deputy. The Board shall recommend one, or a combination of the following:
 1. No Action
 2. Oral Reprimand
 3. Written Reprimand
 4. Suspension from Duty without pay
 5. Transfer to position not requiring operation of a motor vehicle
 6. Termination

VI. **REVIEW BY CHIEF DEPUTY:** The Chief Deputy shall make a final recommendation to the Sheriff concerning any disciplinary action: which maybe Lesser or Greater than the recommendation of the Board.

VII. **INFORMATION REQUIRED BY BOARD:** In order to comply with investigation of the accident involving an employee of the Sheriff's Office, the following information shall be forwarded in its entirety to the Patrol Bureau Lieutenant.

1. Copy of the letter prepared completed and signed by the individual involved and supervisor.
2. Photographs – if required by investigation supervisor.
3. Damage estimate.
 - a. Equipment drivable
 - b. Equipment not drivable

VIII. **ACCIDENT REVIEW BOARD CONSIDERATIONS:** In an effort to render fair and impartial findings, the Accident Review Board shall take into consideration the following items upon reviewing all accidents:

1. Status of driver at the time of accident.
 - a. Responding to assigned call
 - b. In service/out of service
 - c. In pursuit (Departmental Policy)
2. Weather, Road, and Traffic conditions.
3. Type of road and surface.
4. Degree of negligence (if applicable).
 - a. Violation of State Law
 - b. Violation of Departmental Policy

IX. **SPECIAL EMPHASIS:** Department Heads and Supervisors should take immediate steps to insure that all personnel are made aware of the existence and purpose of the Accident Review Board.

X. **CANCELLATION:** This order supersedes any directive or order issued prior to this effective date.

XI. **At the discretion of the Sheriff, and in the best interest of the Fort Bend County Sheriff's Office, the accident review may deviate from this procedure.**

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 41

SUBJECT: Policy Governing Other Employment

I. **PURPOSE:** to provide guidelines and procedures, as set out below, to agency personnel related to acceptable off duty employment.

II. **DEFINITION:**

A. **Non-Law Enforcement Outside Employment:** Employment which does not require the use of the employee's police officer commission to carry a firearm and that does not create a conflict of interest.

B. **Law Enforcement Related Outside Employment:** Employment requiring use of the employee's police commission to carry a firearm or that could create a conflict of interest.

III. **POLICY:** Outside employment related to law enforcement is a privilege granted at the sole discretion of the Sheriff. As such, no employee shall be permitted to engage in outside employment, which in the Sheriff's opinion, constitutes a conflict of interest with the employee's primary responsibility as a Law Enforcement Officer.

Outside employment, **NON-LAW ENFORCEMENT** is not subject to prior approval; however, employee's are directed to notify their chain of command of the fact that they have elected to engage in such outside employment and the probable location of their employment.

IV. **PROCEDURES:**

A. Employees contemplating outside employment which requires use of their commission to carry a firearm or that could create a conflict of interest must request and receive prior approval from the Sheriff or his designee. This approval is mandatory before engaging in any outside employment of this kind, except short notice request where prior oral approval has been granted by a first line Supervisor.

B. In order for approval to be granted for a request for outside employment involving the use of the employee's police officer commission to carry a firearm or that could be a conflict of interest, the following requirements must be met.

1. The employment shall not create a conflict of interest between the primary law enforcement obligations and the outside employment. It is the responsibility of the employee to prevent a conflict of interest from occurring. For the purpose of this section, a conflict of interest exists if the employer or the work to be done could in any way compromise the independent judgement or integrity of the employee, or adversely effect the Sheriff's Office. A conflict of interest will exist if the work to be done during outside employment requires that the employee obtain a license from any agency that governs an industry that is subject to enforcement by the Sheriff's Office. This does not apply to a Texas driver's license. If an employee or his supervisor is uncertain if a conflict of interest exists, the employee shall submit a request for outside employment through proper channels for determination.

- C. Examples of jobs creating a conflict of interest are: Certain jobs within the transportation industry; jobs within the bail bond industry; and jobs within the private investigations industry.
- D. Employees shall not be permitted to accept employment from an establishment whose primary source of income is derived from the sales of alcoholic beverages or jobs associated with the pari-mutuel wagering industry.
- E. The employment must be legal and honorable.
- F. The employment must not interfere in any way with the employee's Sheriff's office responsibilities. The employee must be performing satisfactorily in his Sheriff's office job.
- G. The employee must obtain authorization for the utilization of property, other than uniform, owned by Fort Bend County.
- H. The employment must not require the use of privileged information obtained through the Sheriff's Office Job. The use of privileged information in conjunction with outside employment will be cause for dismissal.

V. ALL REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT OR PARTICIPATION IN A PRIVATE ENTERPRISE MUST BE MADE ON THE OFFICIAL SHERIFF'S OFFICE REQUEST FOR OUTSIDE EMPLOYMENT FORM.

- A. The completed form must be reviewed by the requesting employee's immediate supervisor. The supervisor shall either approve or disapprove the request. The request shall be forwarded through the chain of command where final authority for approval shall rest with the Chief Deputy.
- B. Short Notice Request: The Sheriff recognizes that some outside employment opportunities present themselves with such short notice that time does not permit the request to be processed through ordinary procedures. Therefore, in these cases the employee's immediate supervisor may approve the employment. However, within 72 hours the employee shall be required to obtain approval through normal channels.
- C. No employee shall be permitted to work more than 20 hours per week, exclusive of his regular days off.
- D. Employees on disciplinary probation, or who have been relieved of duty, suspended for any reason, or out on sick leave shall not be allowed to engage in law enforcement related outside employment.
- E. It is intended that any incident occurring during outside employment be subject to the authority and control of the ranking on duty patrol supervisor. Deputies engaged in outside employment, regardless of rank, shall respond to the chain of supervisory command commencing with the Patrol Duty Supervisor. Any supervisor may make recommendations for termination of approved status to their Division Commander. The Division Commander may suspend approval and shall forward the information to the Chief Deputy, where final authority rest.

VI. MOTORCYCLE ESCORTS:

- A. Only those Deputies that have successfully completed a T.C.L.E.O.S.E. approved, basic 40 hour police motorcycle operator course, may perform such escorts. This training

shall be kept current by attending a 16 hour T.C.L.E.O.S.E. approved motorcycle course on an annual basis.

- B. The uniform and equipment shall be the same as that required of Deputies assigned to the motorcycle division.

VII. USE OF COUNTY EQUIPMENT:

- A. A Bureau Commander may authorize the use of County owned equipment during outside employment under conditions as follows:

1. It is in the best interest of Public Safety and the safety of the Deputies performing the job;
2. The outside employment is in support of a bona-fide charitable activity and the organizers are a non-profit entry;
3. The outside employment is in support of sanctioned Fort Bend County activities.

VIII. MAINTENANCE OF OUTSIDE EMPLOYMENT RECORDS: The Chief Deputy or his designate shall be responsible for maintaining a file for all approved outside employment requests.

FORT BEND COUNTY SHERIFF'S OFFICE

GENERAL ORDER 42

SUBJECT: Policy Governing Honor Guard

- I. **PURPOSE:** To provide guidelines regulating the activities and administration of the Fort Bend County Sheriff's Department Honor Guard. The Honor Guard was established in August of 1985 for the purpose of providing appropriate honors at funeral services for Deputies and other Law Enforcement Officers.
- II. **POLICY:** In addition to providing appropriate honors at officer's funerals the expanded mission of the Honor Guard is to provide departmental representation at parades and other public functions as directed by the Sheriff. The activities of the Honor Guard shall be governed by procedures set forth within this General Order.

III. **ADMINISTRATION:**

A. **Commander-** The Chief Deputy shall appoint a Commander of the Fort Bend County Sheriff's Department Honor Guard. The Commander will be responsible for supervising Honor Guard members at any time they have been assembled for the purpose of performing official Honor Guard duties. While acting in this capacity the Honor Guard Commander shall report directly to the Chief Deputy.

B. **Deputy Commander-** A Deputy Commander who shall act as second in command will be appointed by the acting Commander.

C. **Secretary-** The Commander shall appoint a Secretary to assist himself and the Deputy Commander in coordinating Honor Guard activities.

These three positions shall comprise the Honor Guard staff and together they shall direct all activities of the Fort Bend County Sheriff's Department Honor Guard.

IV. **MEMBERSHIP**

A. Service in the Honor Guard is strictly voluntary and is in addition to regular duty. Success in maintaining an acceptable professional performance will depend on the personal dedication and commitment each Deputy is willing to give.

B. Membership shall be limited to twenty-five (25) active members. A waiting list shall be established for eligible applicants in excess of 25 members.

C. Applications for membership shall be submitted in writing through proper channels and directed to the Honor Guard Commander.

D. Selection of new members shall be the responsibility of the Commander and his Deputy Commander. Applicants will be selected based on the following criteria:

1. Performance of Duty
2. Appearance and Bearing
3. Attitude.