

071902

SAFETY PROGRAM/RISK MANAGEMENT  
SECURITY PERSONNEL/~~PEACE OFFICERS~~CKE  
(LOCAL)**District Police  
Officers**

**TO ENSURE SUFFICIENT SECURITY AND PROTECTION OF STUDENTS, STAFF, AND PROPERTY, THE Board has established AUTHORIZES THE FORMATION OF a District police department in accordance with statutory provisions. AND SHALL EMPLOY AND COMMISSION POLICE OFFICERS.**

The policies, rules, and regulations promulgated by the Board, as well as the general and criminal laws of the state of Texas, are hereby declared in full force and effect within the areas of control and jurisdiction of the District.

**~~AUTHORITY~~**

~~District police officers are empowered to enforce the policies, rules, and regulations promulgated by the Board, as well as all laws, including municipal and county ordinances, state laws, and federal laws.~~

**~~JURISDICTION~~**

~~District~~  
**SUPERVISORY  
AUTHORITY**

**THE CHIEF OF POLICE SHALL BE ACCOUNTABLE TO AND SHALL REPORT TO THE SUPERINTENDENT. IN ACCORDANCE WITH LAW, THE SUPERINTENDENT SHALL NOT DELEGATE THIS SUPERVISORY RESPONSIBILITY.**

**JURISDICTION**

The jurisdiction of police officers shall have jurisdiction within the geographical boundaries of the District as it relates to the scope of duties defined below. Additionally, the officers' jurisdiction shall include all property, **TERRITORY WITHIN DISTRICT BOUNDARIES, AS WELL AS ALL real and personal, PROPERTY outside the boundaries of the District that is owned, leased, OR rented BY THE DISTRICT, or IS otherwise under the DISTRICT'S control.**

**DISTRICT POLICE OFFICERS SHALL EXERCISE POLICE AUTHORITY AND POWERS IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS CODE OF CRIMINAL PROCEDURE. POLICE DEPARTMENT OFFICERS ARE REQUIRED TO LIMIT THEIR ACTIONS TO INCIDENTS THAT ARE CLEARLY DISTRICT-RELATED, EXCEPT IN CASES WHERE, AS TEXAS POLICE OFFICERS, THEY HAVE A STATUTORY DUTY TO INVOLVE THEMSELVES IN NON-DISTRICT INCIDENTS THAT ARE LIFE-THREATENING, CONSIDERED FELONY OFFENSES, OR ARE LISTED IN CHAPTER 14 OF THE TEXAS CODE OF CRIMINAL PROCEDURE (ARREST WITHOUT WARRANT).**

**POLICE  
AUTHORITY**

**POLICE OFFICERS EMPLOYED BY THE DISTRICT SHALL HAVE ALL THE POWERS, PRIVILEGES, AND IMMUNITIES of the Board.**

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(LOCAL)**SCOPE OF DUTIES**

~~The scope of duties defined in this paragraph shall apply only while District police officers are acting within their jurisdiction.~~ **ON OR OFF DUTY within the THE jurisdiction, OF THE DISTRICT. DISTRICT POLICE OFFICERS SHALL HAVE THE AUTHORITY TO:**

1. **PROTECT THE SAFETY AND WELFARE OF ANY PERSON IN THE JURISDICTION OF THE DISTRICT AND PROTECT THE PROPERTY OF THE DISTRICT.**
2. **ENFORCE ALL LAWS, INCLUDING MUNICIPAL ORDINANCES, COUNTY ORDINANCES, AND STATE LAWS, AND INVESTIGATE VIOLATIONS OF LAW as defined above. NEEDED. IN DOING SO,** District police officers may ~~enforce any law while on or~~ **SERVE SEARCH WARRANTS** in ~~and around property that is owned, leased, rented, or otherwise under the control of the District. District police officers may enforce any law that is related to the safety and well being of any District student, employee, or other individuals on or in and around~~ **CONNECTION WITH District property. District police-RELATED INVESTIGATIONS IN COMPLIANCE WITH THE TEXAS CODE OF CRIMINAL PROCEDURE.**
3. **ARREST SUSPECTS CONSISTENT WITH STATE AND FEDERAL STATUTORY AND CONSTITUTIONAL STANDARDS GOVERNING ARRESTS, INCLUDING ARRESTS WITHOUT WARRANT, FOR OFFENSES THAT OCCUR IN THE OFFICER'S PRESENCE OR UNDER THE OTHER RULES SET OUT IN THE TEXAS CODE OF CRIMINAL PROCEDURE.**
4. **COORDINATE AND COOPERATE WITH COMMISSIONED OFFICERS** ~~may enforce any~~ **OF ALL OTHER law that involves any** **ENFORCEMENT AGENCIES IN THE ENFORCEMENT OF THIS POLICY AS NECESSARY.**
5. **ENFORCE** ~~District student~~ **POLICIES ON DISTRICT PROPERTY, IN SCHOOL ZONES, AT BUS STOPS,** ~~or employee in criminal activity.~~ **AT District FUNCTIONS.**
6. **INVESTIGATE VIOLATIONS OF DISTRICT POLICY, RULES, AND REGULATIONS AS REQUESTED BY THE SUPERINTENDENT AND PARTICIPATE IN ADMINISTRATIVE HEARINGS CONCERNING THE ALLEGED VIOLATIONS.**

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7. **CARRY WEAPONS AS DIRECTED BY THE CHIEF OF POLICE AND APPROVED BY THE SUPERINTENDENT.**
8. **CARRY OUT ALL OTHER DUTIES AS DIRECTED BY THE CHIEF OF POLICE OR SUPERINTENDENT.**

~~District police officers will~~shall refrain from traffic enforcement (such as on I-10 and U.S. 54) that is not related to the interest and well-being of the District unless it is an imminent danger to the health and safety of the general public. District police officers shall comply with the provisions of Code of Criminal Procedure Article 2.13, Duties and Powers. The chief of police of the District may assign specific duties as required by the needs of the District.

~~When a District police officer is on duty and away from District premises, law enforcement activities are limited to offenses that are directly connected with District business and are within the boundaries of the District. When an officer is directly involved in a situation in which there is a real threat or endangerment to non-District property or there is a threat of bodily injury or death to a person, the officer may act to protect the property or person. The officer shall immediately report the observed threat to the El Paso Police Department or El Paso County Sheriff's Department and turn over law enforcement to that agency.~~

~~District police officers shall not engage in routine traffic stops with other agencies nor should they address traffic issues outside of District property boundaries unless there is imminent danger to health and safety. The issuance of traffic citations on public streets outside District property and boundaries are not considered within the scope of duties to be undertaken by District police officers. An example of a situation that might be considered within the scope of District police officers' duties would be an officer observing a felony in progress or a suspected drunk driver whose behavior is endangering himself or herself and the public. Routine speeding, running of stop signs, and other traffic violations on city/county streets away from the 1,000 foot radius of a school or District property are not considered to be within the scope of duties for a District police officer.~~

~~A District police officer who comes upon a felony or breach of the peace outside of the officer's jurisdiction that reasonably calls for action may initiate appropriate action in accordance with Code of Criminal Procedure Article 14.03d and Article 18.16. Upon taking such action, the officer shall, as soon as practicable after making an arrest, notify a law enforcement agency having jurisdiction~~

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~~where the arrest was made. The officer shall also notify an immediate District police supervisor as to the circumstances and action taken regarding the incident.~~

**off duty law  
enforcement  
activities****TEMPORARY  
ASSIGNMENT**

DISTRICT POLICE OFFICERS SHALL ENFORCE ALL LAWS, INCLUDING MUNICIPAL ORDINANCES, COUNTY ORDINANCES, AND STATE LAWS WITHIN ANOTHER LAW ENFORCEMENT AGENCY'S JURISDICTION WHILE TEMPORARILY ASSIGNED TO THE OTHER AGENCY.

**LIMITATIONS ON  
NONSCHOOL  
EMPLOYMENT**

NO OFFICER COMMISSIONED UNDER THIS POLICY SHALL PROVIDE LAW ENFORCEMENT OR SECURITY SERVICES FOR AN OUTSIDE EMPLOYER WITHOUT PRIOR WRITTEN APPROVAL FROM THE CHIEF OF POLICE AND SUPERINTENDENT.

**OFF-DUTY LAW  
ENFORCEMENT  
ACTIVITIES**

When a District police officer is off duty and not engaged in outside employment, law enforcement activities are limited to offenses that endanger the loss of property, that pose a threat of bodily injury or death, or that directly involve the off-duty officer. The Superintendent ~~or designee~~ is authorized to provide further detail to District police officers regarding the scope of their off-duty and on-duty responsibilities away from District premises law enforcement activities.

**outside employment**

~~All work performed while engaged in outside employment is limited to those duties, locations, and employers that would not create a conflict of interest with the District and that do not diminish the employee's capacity to perform effectively for the District police department. No District vehicles may be used in off-duty employment situations. The Superintendent or designee is authorized to impose additional limitations and restrictions regarding outside or off-duty employment.~~

**qualifications**

~~A police officer assigned to duty and commissioned under this section shall take and file the oath required of police officers and shall execute and file a bond in the sum of \$1,000, payable to the Board with two or more sureties, conditioned that the police officer will fairly, impartially, and faithfully perform all the duties that may be required of the police officer by law. The bond may be sued on in the name of any person injured until the whole amount of the bond is recovered.~~

**direction**

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~~All persons employed as police officers and other department non-commissioned employees with the District shall abide by District policy and department procedures, instruction, and lawful orders.~~

**arrest**

~~Commissioned police officers of the District may, in the performance of their duties as police officers, arrest any person found committing a violation of local ordinances, state laws, and federal statutes and will take immediate action to prevent any obvious offense or to arrest, if reasonably possible, any known offender in accordance with authority, jurisdiction, and scope of duties that affect District property, personnel, or students. District police officers shall limit their activities during District compensated time to those matters that are directly related to the protection of District property or the safety of students or faculty.~~

~~Commissioned police officers of the District shall follow department procedure and the currently acceptable practice for the handling of all persons arrested.~~

**use of force**

~~A District police officer may use as much force as is reasonably necessary to protect self and others in the performance of the officer's duties as a police officer and may use deadly force only in life threatening situations.~~

**citations**

~~District police officers are authorized to issue class "C" misdemeanor citations, parking citations, and traffic citations in accordance with state law and Board policy when in the performance of District business. District police officers shall not be involved in matters unrelated to the District during paid duty hours. All monetary funds accruing to the District from fines levied by the court system as a result of the issuance of citations are to be deposited in the District general fund.~~

**pursuit**

~~The District police officer may pursue an actor where the pursuit may result in an arrest taking place in accordance with authority, jurisdiction, and scope of duties related to District business. District police officers shall not participate in traffic stops and other activities of other police agencies that are unrelated to District business. Any pursuit shall be undertaken with due regard for the safety of all persons, and an officer shall not pursue a suspect if the officer determines in good faith that the need to immediately apprehend the suspect is outweighed by a clear risk of harm to the public in continuing the pursuit.~~

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~~The District police officer shall call for assistance of law enforcement agencies of the appropriate jurisdiction and shall assist such agencies in accordance with procedures when in the performance of duties related to District business.~~

**police Vehicles**

~~The District Police Department will authorize those personnel who are sworn Texas Peace Officers and are commissioned with the District Police Department in that capacity to use marked and unmarked police vehicles to carry out the duties as set forth by the Board and Texas Education Code Chapter 37, Subsection C, relating to law and order.~~

~~Police officers assigned as a commissioned peace officer with the District will comply with all requirements as set forth by police departmental policy as it pertains to police vehicles.~~

~~District police officers assigned a police vehicle will be allowed to commute to and from duty stations and special assignments during their normal work schedule when or if the purpose for the commuting is to perform in an official capacity.~~

~~A police vehicle shall not be used by a District police officer for personal gain and/or advantage outside the scope of police duties and jurisdiction.~~

~~No District police officer will be allowed to take a police vehicle home or any other location unless authorized by the Superintendent or designee.~~

**Police vehicles  
taken home**

~~District police officers who take vehicles home will be subject to be on call to participate in law enforcement field operations that require the officers to work an assignment other than the officers' normal work schedule.~~

~~Authorized personnel who take marked and unmarked police vehicles home will sign a sworn Affidavit: Employer Provided Vehicle, to ensure that the marked and unmarked police vehicles taken home will be used solely for police business and not for personal use, gain, or advantage.~~

**service weapons**

~~All District police officers shall furnish and carry their own service weapon with a bore diameter equal or larger than 0.355 caliber, capable of firing high velocity, soft-nosed, rapid expanding police ammunition and compatible police belt and holster, to be approved by and registered with the chief of police with respect to make, model, caliber, serial number, and ammunition. Only that ammunition approved by and registered with the chief of police shall be placed in~~

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(LOCAL)~~the service weapon or carried by the District police officer while on duty.~~~~qualification and  
requalification~~~~All District police officers authorized to carry firearms will qualify twice a year with their duty weapon in accordance with the Texas Commission On Law Enforcement Officers Standards and Education (TCLEOSE). [See CKE(LEGAL)] If a District police officer fails to successfully complete the requalification course as required, he or she shall be relieved of the weapon immediately. A District police officer who has been disarmed shall not be assigned duties that will require the bearing of arms until successful requalification has been accomplished. Firearms retraining shall be initiated immediately, and the District police officer shall attempt to requalify within 14 days from the date of the initial failure. Failure to requalify shall be cause for termination of the District police officer for failure to meet job standards in accordance with applicable regulations.~~~~All District police officers shall qualify with, requalify with, and bear only weapons approved and registered with the chief of police.~~~~legal custodian~~~~Police officers of the District shall act as legal custodian of the District in matters relating to criminal law and loss of property in the absence of the primary legal custodian of the property.~~RELATIONSHIP  
WITH OUTSIDE  
AGENCIES

THE DISTRICT'S POLICE DEPARTMENT AND THE LAW ENFORCEMENT AGENCIES WITH WHICH IT HAS OVERLAPPING JURISDICTION SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING THAT OUTLINES REASONABLE COMMUNICATION AND COORDINATION EFFORTS AMONG THE DEPARTMENT AND THE AGENCIES. THE CHIEF OF POLICE AND THE SUPERINTENDENT SHALL REVIEW THE MEMORANDUM OF UNDERSTANDING AT LEAST ONCE EVERY YEAR. THE MEMORANDUM OF UNDERSTANDING SHALL BE APPROVED BY THE BOARD.

VIDEO  
MONITORING

IF AVAILABLE, VIDEO EQUIPMENT SHALL BE USED ON A DISTRICT POLICE CAR FOR SAFETY PURPOSES WHENEVER THE FLASHING LIGHTS ON THE CAR ARE IN USE.

ACCESS TO  
RECORDINGS

RECORDINGS SHALL BE CONSIDERED LAW ENFORCEMENT RECORDS, SHALL REMAIN IN THE CUSTODY OF THE CHIEF OF POLICE, AND SHALL BE MAINTAINED AS REQUIRED BY THE DEPARTMENT REGULATIONS MANUAL AND LAW. A PARENT OR STUDENT WHO WISHES TO VIEW A VIDEO RECORDING IN RESPONSE TO DISCIPLINARY ACTION TAKEN

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(LOCAL)**AGAINST THE STUDENT MAY REQUEST SUCH ACCESS UNDER THE PROCEDURES SET OUT BY LAW. [SEE FL(LEGAL)]****TRAINING****ALL DISTRICT OFFICERS SHALL RECEIVE AT LEAST THE MINIMUM AMOUNT OF EDUCATION AND TRAINING REQUIRED BY LAW.****DEPARTMENT  
REGULATIONS  
MANUAL****TO CARRY OUT THE PROVISIONS IN THIS POLICY, THE POLICE DEPARTMENT SHALL COMPILE AND MAINTAIN A MANUAL THAT DESCRIBES AND SETS FORTH OPERATIONAL PROCEDURES, RULES, AND REGULATIONS PERTAINING TO THE ADMINISTRATION OF POLICE SERVICES. THE CHIEF OF POLICE AND THE SUPERINTENDENT SHALL REVIEW THE MANUAL ANNUALLY AND MAKE ANY APPROPRIATE REVISIONS.****RACIAL  
PROFILING****THE CHIEF OF POLICE SHALL DEVELOP AND IMPLEMENT REGULATIONS TO ENSURE COMPLIANCE WITH STATE LAW REGARDING RACIAL PROFILING. POLICE OFFICERS EMPLOYED BY THE DISTRICT SHALL NOT INITIATE ANY LAW ENFORCEMENT ACTION BASED ON AN INDIVIDUAL'S RACE, ETHNICITY, OR NATIONAL ORIGIN.****USE OF FORCE****THE USE OF FORCE, INCLUDING DEADLY FORCE, SHALL BE AUTHORIZED ONLY WHEN REASONABLE AND NECESSARY, AS OUTLINED IN THE DEPARTMENT REGULATIONS MANUAL.****HIGH-SPEED  
PURSUIT****OFFICERS SHALL NOT ENGAGE IN HIGH-SPEED CHASES IN A MOTOR VEHICLE WHEN THE IMMEDIATE DANGER TO THE PUBLIC OR THE OFFICER CREATED BY THE PURSUIT EXCEEDS THE IMMEDIATE OR POTENTIAL DANGER PRESENTED BY THE OFFENDERS REMAINING AT LARGE. GUIDELINES FOR HIGH-SPEED PURSUITS SHALL BE ADDRESSED IN THE DEPARTMENT REGULATIONS MANUAL.****COMPLAINTS  
~~complaint against  
police officer~~****~~In order for a complaint~~ COMPLAINTS against a District police officer to be considered for purposes of disciplinary action by the head of the District's police department, the complaint must be in writing and SHALL BE IN WRITING ON A FORM PROVIDED BY THE DISTRICT AND SHALL BE signed by the person making the complaint. ~~AIN ACCORDANCE WITH LAW, THE DISTRICT~~ SHALL PROVIDE TO THE POLICE OFFICER A copy of the complaint. [SEE COMPLAINTS AGAINST PEACE OFFICERS AT CKE(LEGAL)]**

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**APPEALS REGARDING THIS COMPLAINT PROCESS** shall be  
~~given to the officer and addressed with a supervisor within a rea-~~  
~~sonable amount of time. Any subsequent action may follow~~  
in accordance with the **DGBA, FNG, OR GF, AS** appropriate ~~com-~~  
~~plaint policy.~~ **FILED**

~~memoranda of~~  
~~understanding~~

~~The memoranda of understanding required to be developed with~~  
~~law enforcement agencies having overlapping jurisdiction with the~~  
~~District police department, which outlines reasonable communica-~~  
~~tion and coordination of efforts between the District department and~~  
~~the other agencies, shall be subject to approval by the Board.~~

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